
STATUTORY INSTRUMENTS

2005 No. 3180

**The Criminal Justice (International Co-operation) Act 1990
(Enforcement of Overseas Forfeiture Orders) Order 2005**

PART 2

Requests for Restraint of Property

Hearsay evidence in restraint proceedings

10.—(1) Evidence must not be excluded in restraint proceedings on the ground that it is hearsay (of whatever degree).

(2) Sections 2 to 4 of the Civil Evidence Act 1995⁽¹⁾ apply in relation to restraint proceedings as those sections apply in relation to civil proceedings.

(3) Restraint proceedings are proceedings—

- (a) for a restraint order;
- (b) for the discharge or variation of a restraint order;
- (c) on an appeal under article 7 or 8.

(4) Hearsay is a statement which is made otherwise than by a person while giving oral evidence in the proceedings and which is rendered as evidence of the matters stated.

(5) Nothing in this article affects the admissibility of evidence which is admissible apart from this article.

⁽¹⁾ 1995 c. 38.