
STATUTORY INSTRUMENTS

2014 No. 3141

The Criminal Justice and Data Protection
(Protocol No. 36) Regulations 2014

PART 2

Proceeds of Crime (Foreign Property and Foreign Orders)

CHAPTER 2

England and Wales

Sending domestic restraint orders and certificates overseas

7.—(1) If a certificate is made under regulation 6, the domestic restraint order and the certificate are to be forwarded by the prosecutor to—

- (a) a court exercising jurisdiction in the other member State where the property is situated, or
- (b) any authority recognised by the government of the other member State as the appropriate authority for receiving orders of that kind.

(2) The domestic restraint order and the certificate must be accompanied by a domestic confiscation order, unless the certificate indicates when the Crown Court expects a domestic confiscation order to be sent.

(3) The certificate must include a translation of it into an appropriate language of the other member State (if that language is not English).

(4) The certificate must be signed by or on behalf of the Crown Court and must include a statement as to the accuracy of the information given in it.

(5) The signature may be an electronic signature.

(6) If the domestic restraint order and the certificate are not accompanied by a domestic confiscation order, but a domestic confiscation order is subsequently made, it is to be sent to the prosecutor for forwarding as mentioned in paragraph (1).