
STATUTORY RULES OF NORTHERN IRELAND

1999 No. 99

CRIMINAL PROCEDURE

The Proceeds of Crime (Countries and Territories designated under the Criminal Justice Act 1988) (1998 Order) (Amendment) (Northern Ireland) Order 1999

Made - - - - 2nd March 1999

To be laid before Parliament

Coming into operation 5th April 1999

The Secretary of State, in pursuance of Article 42 of the Proceeds of Crime (Northern Ireland) Order 1996(1), hereby makes the following Order:

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Proceeds of Crime (Countries and Territories designated under the Criminal Justice Act 1988) (1998 Order) (Amendment) (Northern Ireland) Order 1999 and shall come into operation on 5th April 1999.

(2) “the Order” means the Proceeds of Crime (Northern Ireland) Order 1996 and “the principal Order” means the Proceeds of Crime (Countries and Territories designated under the Criminal Justice Act 1988) Order (Northern Ireland) 1998(2).

2. There shall be inserted in Schedule 1 to the principal Order, at the appropriate places in alphabetical order, the entries for those countries specified in the Schedule to this Order being countries and territories designated under section 96 of the Criminal Justice Act 1988(3).

3. The Appendix set out at the end of paragraph 32 of Schedule 2 to the principal Order (institution of proceedings) shall be amended as follows—

(a) after the entry for Thailand, there shall be inserted the following entry—

“Trinidad and Tobago	when an information or a complaint has been laid before the magistrate;
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(1) S.I.1996/1299 (N.I. 9)

(2) S.R. 1998 No. 68

(3) 1988 c. 33; Section 96 was amended by Section 21 of the Criminal Justice Act 1993 (c. 35)

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

when a person is charged with an offence;
when a bill of indictment is preferred;
when a warrant of arrest is executed against a person.”

4. A like amendment to the amendment in Article 3 above shall be made to the Appendix to Article 4(2) of the Order, as set out in Schedule 3 to the principal Order.

Northern Ireland Office
2nd March 1999

Marjorie Mowlan
One of Her Majesty's Principal Secretaries of
State

SCHEDULE

Article 2

<i>Designated country</i>	<i>Appropriate authority</i>
Belgium	
Federal Republic of Germany	
Hong Kong Special Administrative Region	The Department of Justice
Iceland	
Portugal	
Slovenia	
Spain	
Trinidad and Tobago	The Attorney General or a person designated by him

EXPLANATORY NOTE

(This note is not part of the Order.)

This Order amends the Proceeds of Crime (Countries and Territories designated under the Criminal Justice Act 1988) Order (Northern Ireland) 1998 (“the principal Order”) which provides that, subject to certain modifications, the Proceeds of Crime (Northern Ireland) Order 1996 (“the Order”) applies to an order made by a court in any of the countries and territories listed in Schedule 1 to the principal Order (being countries and territories designated under Section 96 of the Criminal Justice Act 1988) for the purposes of recovering property obtained as a result of or in connection with conduct corresponding to certain offences, recovering the value of the property so obtained or of depriving a person of a pecuniary advantage so obtained.

Article 2 of this Order and the Schedule add to the list of countries to which the principal Order applies. Article 3 amends the Appendix set out at the end of paragraph 32 of Schedule 2 to the principal Order so that the point of institution of proceedings for Trinidad and Tobago is included. Article 4 of this Order make a like amendment to the Order as modified in Schedule 3 to the principal Order.

By virtue of Article 1(1) this Order comes into operation on 5th April 1999.