Changes to legislation: *Crime (International Co-operation) Act 2003, SCHEDULE 5 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

SCHEDULES

SCHEDULE 5

Section 91

MINOR AND CONSEQUENTIAL AMENDMENTS

The Internationally Protected Persons Act 1978 (c. 17)

1 The Internationally Protected Persons Act 1978 is amended as follows.

Commencement Information
I1 Sch. 5 para. 1 in force at 26.4.2004 by S.I. 2004/786, **art. 3**

2 In section 2 (supplementary provisions), in subsections (1) and (2), for "and the United Nations Personnel Act 1997" there is substituted " , the United Nations Personnel Act 1997 and the Terrorism Act 2000 ".

Commencement Information
I2 Sch. 5 para. 2 in force at 26.4.2004 by S.I. 2004/786, **art. 3**

The Suppression of Terrorism Act 1978 (c. 26)

3 The Suppression of Terrorism Act 1978 is amended as follows.

Commencement Information
I3 Sch. 5 para. 3 in force at 26.4.2004 by S.I. 2004/786, **art. 3**

4 In section 4 (jurisdiction in respect of offences committed outside United Kingdom), in subsections (4) and (5), for "and the United Nations Personnel Act 1997" there is substituted " , the United Nations Personnel Act 1997 and the Terrorism Act 2000 ".

Commencement Information
I4 Sch. 5 para. 4 in force at 26.4.2004 by S.I. 2004/786, **art. 3**

The Road Traffic (Northern Ireland) Order 1981 (S.I. 1981/ 154 (N.I. 1))

5 The Road Traffic (Northern Ireland) Order 1981 is amended as follows.

Changes to legislation: *Crime (International Co-operation) Act 2003, SCHEDULE 5 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

Commencement Information
I5 Sch. 5 para. 5 in force at 28.1.2010 by S.I. 2008/3009, **art. 2(1)**(2)(c)

6 In Article 4 (exceptions to offence under Article 3), in paragraph (3)(a), after "Road Traffic Orders" there is inserted " or Chapter 1 of Part 3 of the Crime (International Co-operation) Act 2003 ".

Commencement Information
I6 Sch. 5 para. 6 in force at 28.1.2010 by S.I. 2008/3009, **art. 2(1)**(2)(c)

The Nuclear Material (Offences) Act 1983 (c. 18)

7 The Nuclear Material (Offences) Act 1983 is amended as follows.

Commencement Information
I7 Sch. 5 para. 7 in force at 26.4.2004 by S.I. 2004/786, **art. 3**

8 In section 3 (supplemental), in subsections (1) and (2), for "and the United Nations Personnel Act 1997" there is substituted " , the United Nations Personnel Act 1997 and the Terrorism Act 2000 ".

Commencement Information
I8 Sch. 5 para. 8 in force at 26.4.2004 by S.I. 2004/786, **art. 3**

The Child Abduction Act 1984 (c. 37)

9 The Child Abduction Act 1984 is amended as follows.

Commencement Information
I9 Sch. 5 para. 9 in force at 26.4.2004 by S.I. 2004/786, **art. 3**

10 In section 11 (consequential amendments and repeals), in subsection (3), after "the Internationally Protected Persons Act 1978" there is inserted " and sections 63B(2) and 63C(2) of the Terrorism Act 2000 ".

Commencement Information
I10 Sch. 5 para. 10 in force at 26.4.2004 by S.I. 2004/786, **art. 3**

The Criminal Justice Act 1987 (c. 38)

11 The Criminal Justice Act 1987 is amended as follows.

Changes to legislation: *Crime (International Co-operation) Act 2003, SCHEDULE 5 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

Commencement Information
I11 Sch. 5 para. 11 in force at 26.4.2004 by S.I. 2004/786, **art. 3**

12 In section 2 (investigation powers of Director of Serious Fraud Office)—

(a) in subsection (1A), for paragraph (b) there is substituted—

"(b) the Secretary of State acting under section 15(2) of the Crime (International Co-operation) Act 2003, in response to a request received by him from a person mentioned in section 13(2) of that Act (an "overseas authority").",

(b) in subsection (8A), for the words from "furnished" to the end there is substituted " given to the overseas authority which requested it or given to the Secretary of State for forwarding to that overseas authority) ",

(c) subsection (8B) is omitted,

(d) in subsection (8C), for "transmitted" (in both places) there is substituted " forwarded ",

(e) in subsection (18), "(8B)" is omitted.

Commencement Information
I12 Sch. 5 para. 12 in force at 26.4.2004 by S.I. 2004/786, **art. 3**

The Criminal Justice Act 1988 (c. 33)

13 The Criminal Justice Act 1988 is amended as follows.

Commencement Information
I13 Sch. 5 para. 13 in force at 26.4.2004 by S.I. 2004/786, **art. 3**

14 In section 24 (business etc. documents), in subsection (4), for "section 3 of the Criminal Justice (International Co-operation) Act 1990" there is substituted " section 7 of the Crime (International Co-operation) Act 2003 ".

Commencement Information
I14 Sch. 5 para. 14 in force at 26.4.2004 by S.I. 2004/786, **art. 3**

15 In section 26 (statements in documents that appear to have been prepared for the purposes of criminal proceedings or investigations), for "section 3 of the Criminal Justice (International Co-operation) Act 1990" there is substituted " section 7 of the Crime (International Co-operation) Act 2003 ".

Commencement Information
I15 Sch. 5 para. 15 in force at 26.4.2004 by S.I. 2004/786, **art. 3**

16 In paragraph 6 of Schedule 13 (evidence before courts-martial etc.)—

(a) in sub-paragraph (1)—

Changes to legislation: *Crime (International Co-operation) Act 2003, SCHEDULE 5 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

(i) for "section 3 of the Criminal Justice (International Co-operation) Act 1990" there is substituted " section 7 of the Crime (International Co-operation) Act 2003 ", and

(ii) for "letters of request or corresponding documents" there is substituted " requests for assistance in obtaining outside the United Kingdom evidence ", and

(b) in sub-paragraph (4), for "letters of request or corresponding documents" there is substituted " requests for assistance in obtaining evidence ".

Commencement Information

I16 Sch. 5 para. 16 in force at 26.4.2004 by S.I. 2004/786, **art. 3**

The Road Traffic Act 1988 (c. 52)

17 The Road Traffic Act 1988 is amended as follows.

Commencement Information

I17 Sch. 5 para. 17 in force at 11.10.2004 by S.I. 2004/2624, **art. 2(1)**(2)(b)

18 In section 88 (exceptions to offence under section 87)—

(a) in subsection (1A)(b)(ii), for "section 4(1) of or paragraph 6(1) or 9(1)" there is substituted " section 4 of or paragraph 6 or 9 ",

(b) in subsection (1B)(a), after "Road Traffic Acts" there is inserted " or Chapter 1 of Part 3 of the Crime (International Co-operation) Act 2003 ".

Commencement Information

I18 Sch. 5 para. 18(a) in force at 11.10.2004 by S.I. 2004/2624, **art. 2(1)**(2)(b)

I19 Sch. 5 para. 18(b) in force at 28.1.2010 by S.I. 2008/3009, **art. 2(1)**(2)(c)

19 In section 92 (requirements as to physical fitness of drivers), in subsection (7D), after "99D" there is inserted " or 109C ".

Commencement Information

I20 Sch. 5 para. 19 in force at 11.10.2004 by S.I. 2004/2624, **art. 2(1)**(2)(b)

20 In section 94A (driving after refusal or revocation of licence), in subsection (1)—

(a) in paragraph (a)(ii), for "section 93(1) or (2)" there is substituted " section 93 ",

(b) in paragraph (a)(iii)—

(i) after "section 99C(1) or (2)" there is inserted " or 109B ",

(ii) after "Community licence" there is inserted " or Northern Ireland licence ",

(c) in paragraph (b)(ii), at the end there is inserted " or Northern Ireland licence ".

Changes to legislation: *Crime (International Co-operation) Act 2003, SCHEDULE 5 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

Commencement Information

I21 Sch. 5 para. 20 in force at 11.10.2004 by S.I. 2004/2624, **art. 2(1)**(2)(b)

21 In section 97 (grant of licences), in subsection (1)(d), for "section 4(1) of or paragraph 6(1) or 9(1)" there is substituted " section 4 of or paragraph 6 or 9 ".

Commencement Information

I22 Sch. 5 para. 21 in force at 11.10.2004 by S.I. 2004/2624, **art. 2(1)**(2)(b)

22 In section 100 (appeals relating to licences), in subsection (1)—

(a) in paragraph (c), after "99(3)" there is inserted " or (3A) ",

(b) for "or 99C" there is substituted " , 99C or 109B ".

Commencement Information

I23 Sch. 5 para. 22 in force at 11.10.2004 by S.I. 2004/2624, **art. 2(1)**(2)(b)

23 In section 105 (regulations)—

(a) in subsection (2)—

(i) in paragraph (a), after "this Act," there is inserted " Northern Ireland licences, ",

[F1](ii) . . . . . .

[F1](iii) . . . . . .

(iv) in paragraph (f), before "Community licences" there is inserted " Northern Ireland licences or ",

[F1](b) . . . . . .

Textual Amendments

F1 Sch. 5 para. 23(a)(ii)(iii)(b) repealed (8.6.2015) by Road Safety Act 2006 (c. 49), s. 61(1)(10), **Sch. 7(4)**; S.I. 2015/560, art. 3(b) (with arts. 4-9)

Commencement Information

I24 Sch. 5 para. 23 in force at 11.10.2004 by S.I. 2004/2624, **art. 2(1)**(2)(b)

24 In section 107 (service of notices), for "99B or 99E" there is substituted " 99B, 99E or 109A ".

Commencement Information

I25 Sch. 5 para. 24 in force at 11.10.2004 by S.I. 2004/2624, **art. 2(1)**(2)(b)

25 In section 108 (interpretation), in subsection (1)—

[F2](a) . . . . . .

(b) in the definition of "Northern Ireland driving licence" and "Northern Ireland licence", at the end there is inserted " and "Northern Ireland

Changes to legislation: *Crime (International Co-operation) Act 2003, SCHEDULE 5 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

counterpart" means the document issued with the Northern Ireland licence as a counterpart under the law of Northern Ireland ".

Textual Amendments

F2 Sch. 5 para. 25(a) repealed (8.6.2015) by Road Safety Act 2006 (c. 49), s. 61(1)(10), **Sch. 7(4)**; S.I. 2015/560, art. 3(b) (with arts. 4-9)

Commencement Information

I26 Sch. 5 para. 25 in force at 11.10.2004 by S.I. 2004/2624, **art. 2(1)**(2)(b)

26 In section 109 (provisions as to Northern Ireland drivers' licences)—

(a) in subsection (1), after "Great Britain," there is inserted " in accordance with that licence, ",

F3(b) . . . . . .

(c) subsections (3) to (5) are omitted.

Textual Amendments

F3 Sch. 5 para. 26(b) repealed (8.6.2015) by Road Safety Act 2006 (c. 49), s. 61(1)(10), **Sch. 7(4)**; S.I. 2015/560, art. 3(b) (with arts. 4-9)

Commencement Information

I27 Sch. 5 para. 26 in force at 11.10.2004 by S.I. 2004/2624, **art. 2(1)**(2)(b)

27 In section 164 (power of constables to require production of driving licence etc.)—

(a) in subsection (3)—

(i) in paragraph (a), before "the Secretary of State" there is inserted " a person is required to deliver his licence and its counterpart to the Secretary of State under section 63 of the Crime (International Co-operation) Act 2003 or ",

(ii) in paragraph (a)(iii), after "99C" there is inserted " , 109B ",

(iii) in paragraph (b), after "99C" there is inserted " , 109B " and after "or 118" there is inserted " or section 63 of the Crime (International Co-operation) Act 2003 ",

(b) in subsection (11)—

(i) in the definition of "licence", after "this Act" there is inserted " , a Northern Ireland licence ",

(ii) after " "counterpart"," there is inserted " "Northern Ireland licence", ".

Commencement Information

I28 Sch. 5 para. 27(a)(i) in force at 28.1.2010 by S.I. 2008/3009, **art. 2(1)**(2)(c)

I29 Sch. 5 para. 27(a)(ii) in force at 11.10.2004 by S.I. 2004/2624, **art. 2(1)**(2)(b)

I30 Sch. 5 para. 27(a)(iii) in force at 11.10.2004 for specified purposes by S.I. 2004/2624, **art. 2(1)**(2)(b)

I31 Sch. 5 para. 27(a)(iii) in force at 28.1.2010 in so far as not already in force by S.I. 2008/3009, **art. 2(1)**(2)(c)

I32 Sch. 5 para. 27(b) in force at 11.10.2004 by S.I. 2004/2624, **art. 2(1)**(2)(b)

Changes to legislation: *Crime (International Co-operation) Act 2003, SCHEDULE 5 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

[F4]28 . . . . . .

Textual Amendments

F4 Sch. 5 para. 28 repealed (8.6.2015) by Road Safety Act 2006 (c. 49), s. 61(1)(10), **Sch. 7(4)**; S.I. 2015/560, art. 3(b) (with arts. 4-9)

[F5]29 . . . . . .

Textual Amendments

F5 Sch. 5 para. 29 repealed (8.6.2015) by The Road Safety Act 2006 (Consequential Amendments) Order 2015 (S.I. 2015/583), art. 1(1), **Sch. 1** Table 1

[F6]30 . . . . . .

Textual Amendments

F6 Sch. 5 para. 30 repealed (8.6.2015) by The Road Safety Act 2006 (Consequential Amendments) Order 2015 (S.I. 2015/583), art. 1(1), **Sch. 1** Table 1

31 In section 193A (tramcars and trolley vehicles), in subsection (2)(b), for "91A," there is substituted " 91ZA to ".

Commencement Information

I33 Sch. 5 para. 31 in force at 11.10.2004 by S.I. 2004/2624, **art. 2(1)**(2)(b)

The Road Traffic Offenders Act 1988 (c. 53)

32 The Road Traffic Offenders Act 1988 is amended as follows.

Commencement Information

I34 Sch. 5 para. 32 in force at 11.10.2004 by S.I. 2004/2624, **art. 2(1)**(2)(b)

33 In section 3 (restriction on institution of proceedings for certain offences), in subsection (2A), after "99D" there is inserted " or 109C ".

Commencement Information

I35 Sch. 5 para. 33 in force at 11.10.2004 by S.I. 2004/2624, **art. 2(1)**(2)(b)

34 In section 26 (interim disqualification), in subsection (10), for the words from "and 91A(5)" to "licences)" there is substituted " , 91ZA(7) and 91A(5) of this Act ".

Commencement Information

I36 Sch. 5 para. 34 in force at 11.10.2004 by S.I. 2004/2624, **art. 2(1)**(2)(b)

Changes to legislation: *Crime (International Co-operation) Act 2003, SCHEDULE 5 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

35 In section 98 (general interpretation), in subsection (1)—

[F7](a) . . . . . .

(b) for "and "EEA State"" there is substituted " , "EEA State" and "Northern Ireland licence" ".

Textual Amendments

F7 Sch. 5 para. 35(a) repealed (8.6.2015) by Road Safety Act 2006 (c. 49), s. 61(1)(10), **Sch. 7(4)**; S.I. 2015/560, art. 3(b) (with arts. 4-9)

Commencement Information

I37 Sch. 5 para. 35 in force at 11.10.2004 by S.I. 2004/2624, **art. 2(1)**(2)(b)

36 In Schedule 1 (offences to which sections 1, 6, 11 and 12(1) of the Act apply)—

(a) in the entry for section 94(3) of the Road Traffic Act 1988, in column 1, at the end there is inserted " or 109C ",

(b) in the entry for section 94(3A) of that Act, in column 1, at the end there is inserted " or 109C(c) ",

(c) in the entry for section 94A of that Act, in column 2, at the end there is inserted " or 109B ",

[F8](d) . . . . . .

Textual Amendments

F8 Sch. 5 para. 36(d) repealed (8.6.2015) by The Road Safety Act 2006 (Consequential Amendments) Order 2015 (S.I. 2015/583), art. 1(1), **Sch. 1** Table 1

Commencement Information

I38 Sch. 5 para. 36 in force at 11.10.2004 by S.I. 2004/2624, **art. 2(1)**(2)(b)

37 In Schedule 2 (prosecution and punishment of offences)—

(a) in the entry for section 94(3) of the Road Traffic Act 1988, in column 2, at the end there is inserted " or 109C ",

(b) in the entry for section 94(3A) of that Act, in column 2, at the end there is inserted " or 109C(c) ",

(c) in the entry for section 94A of that Act, in column 2, at the end there is inserted " or 109B ",

[F9](d) . . . . . .

(e) the entry for section 109 of that Act is omitted,

(f) before the entry for section 114 of that Act there is inserted—

"RTA section 109B(4)	Failure to deliver Northern Ireland licence to Secretary of State	Summarily.	Level 3 on the standard scale.	"

Changes to legislation: *Crime (International Co-operation) Act 2003, SCHEDULE 5 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

	when required by notice under section 109B.

Textual Amendments

F9 Sch. 5 para. 37(d) repealed (8.6.2015) by The Road Safety Act 2006 (Consequential Amendments) Order 2015 (S.I. 2015/583), art. 1(1), **Sch. 1** Table 1

Commencement Information

I39 Sch. 5 para. 37 in force at 11.10.2004 by S.I. 2004/2624, **art. 2(1)**(2)(b)

The Criminal Justice (Evidence, Etc.) (Northern Ireland) Order 1988 (S.I. 1988/1847 (N.I. 17))

38 The Criminal Justice (Evidence, Etc.) (Northern Ireland) Order 1988 is amended as follows.

Commencement Information

I40 Sch. 5 para. 38 in force at 26.4.2004 by S.I. 2004/786, **art. 3**

39 In Article 4 (business etc. documents), in paragraph (4), for "section 3 of the Criminal Justice (International Co-operation) Act 1990" there is substituted " section 7 of the Crime (International Co-operation) Act 2003 ".

Commencement Information

I41 Sch. 5 para. 39 in force at 26.4.2004 by S.I. 2004/786, **art. 3**

40 In Article 6 (statements in documents that appear to have been prepared for the purposes of criminal proceedings or investigations), for "section 3 of the Criminal Justice (International Co-operation) Act 1990" there is substituted " section 7 of the Crime (International Co-operation) Act 2003 ".

Commencement Information

I42 Sch. 5 para. 40 in force at 26.4.2004 by S.I. 2004/786, **art. 3**

The Criminal Justice (International Co-operation) Act 1990 (c. 5)

41 The Criminal Justice (International Co-operation) Act 1990 is amended as follows.

Commencement Information

I43 Sch. 5 para. 41 in force at 26.4.2004 by S.I. 2004/786, **art. 3**

Changes to legislation: *Crime (International Co-operation) Act 2003, SCHEDULE 5 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

42 Sections 1 to 4, 7, 8 and 11 (mutual service of process and provision of evidence) are omitted.

Commencement Information
I44 Sch. 5 para. 42 in force at 26.4.2004 by S.I. 2004/786, **art. 3**

43 In section 5 (transfer of UK prisoner to give evidence or assist investigation overseas), after subsection (3) there is inserted—

"(3A) A warrant under this section has effect in spite of section 127(1) of the Army Act 1955, section 127(1) of the Air Force Act 1955 or section 82A(1) of the Naval Discipline Act 1957 (restriction on removing persons out of the United Kingdom who are serving military sentences)."

Commencement Information
I45 Sch. 5 para. 43 in force at 26.4.2004 by S.I. 2004/786, **art. 3**

44 Schedule 1 (proceedings of nominated court) is omitted.

Commencement Information
I46 Sch. 5 para. 44 in force at 26.4.2004 by S.I. 2004/786, **art. 3**

The Road Traffic (New Drivers) Act 1995 (c. 13)

45 The Road Traffic (New Drivers) Act 1995 is amended as follows.

Commencement Information
I47 Sch. 5 para. 45 in force at 11.10.2004 by S.I. 2004/2624, **art. 2(1)**(2)(b)

46 In section 2 (surrender of licences), at the end there is inserted—

"(6) In this section and section 3 "licence" includes a Northern Ireland licence."

Commencement Information
I48 Sch. 5 para. 46 in force at 11.10.2004 by S.I. 2004/2624, **art. 2(1)**(2)(b)

47 In section 3 (revocation of licences)—

(a) after subsection (1) there is inserted—

"(1A) Where the Secretary of State serves on the holder of a Northern Ireland licence a notice under subsection (1), the Secretary of State must send to the licensing authority in Northern Ireland—

(a) particulars of the notice; and

(b) the Northern Ireland licence.

Changes to legislation: *Crime (International Co-operation) Act 2003, SCHEDULE 5 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

(1B) Where the Secretary of State is sent by that licensing authority particulars of a notice served on the holder of a licence under a provision of Northern Ireland law corresponding to subsection (1), he must by notice served on the holder revoke the licence.”,

F10(b) . . . . . .

(c) at the end, there is inserted—

“(3) In this section references to the revocation of a person’s Northern Ireland licence are references to its revocation as respects Great Britain; and, accordingly, the person ceases to be authorised by virtue of section 109(1) of the Road Traffic Act 1988 to drive in Great Britain a motor vehicle of any class.”

Textual Amendments

F10 Sch. 5 para. 47(b) repealed (31.3.2009) by Road Safety Act 2006 (c. 49), s. 61(1)(10), **Sch. 7(2)**; S.I. 2008/3164, art. 3(d)

Commencement Information

I49 Sch. 5 para. 47 in force at 11.10.2004 by S.I. 2004/2624, **art. 2(1)**(2)(b)

48 In section 4 (re-testing)—

(a) in subsection (1)—

(i) for “section 3(1)” there is substituted “ section 3 ”,

(ii) after “full licence” (in the second place it occurs) there is inserted “ or (as the case may be) full Northern Ireland licence ”,

(b) after subsection (1) there is inserted—

“(1A) Subject to subsection (5), the Secretary of State may not under that Part grant a person whose Northern Ireland licence has been revoked under a provision of Northern Ireland law corresponding to section 3(1) a full licence to drive any class of vehicles in relation to which the revoked licence was issued as a full Northern Ireland licence unless he satisfies the Secretary of State as mentioned in subsection (1).”,

(c) in subsections (2) and (3), at the end there is inserted “ or (as the case may be) full Northern Ireland licence ”,

(d) in subsection (5)—

(i) for “Subsection (1) does” there is substituted “ Subsections (1) and (1A) do ”, and

(ii) for “section 3(1)” there is substituted “ section 3 or whose Northern Ireland licence has been revoked under a provision of Northern Ireland law corresponding to section 3(1) ”.

Commencement Information

I50 Sch. 5 para. 48 in force at 11.10.2004 by S.I. 2004/2624, **art. 2(1)**(2)(b)

49 In section 5 (restoration of licence without re-testing in certain cases)—

Changes to legislation: *Crime (International Co-operation) Act 2003, SCHEDULE 5 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

(a) in subsections (1), (4) and (6), for "section 3(1)" there is substituted " section 3 ",

(b) in subsections (3)(a) and (4)(c), after "section 2" there is inserted " or (as the case may be) the provision of Northern Ireland law corresponding to that section ",

(c) at the end there is inserted—

"(11) Nothing in this section applies in relation to a person whose Northern Ireland licence has been revoked under section 3(1)."

Commencement Information

I51 Sch. 5 para. 49 in force at 11.10.2004 by S.I. 2004/2624, **art. 2(1)**(2)(b)

50 In section 7 (early termination of probationary period)—

(a) in paragraph (b), for "section 3(1)" there is substituted " section 3 ",

(b) in paragraph (c)—

(i) for "paragraph 5(1)" there is substituted " paragraph 5 ",

(ii) for "paragraph 8(1)" there is substituted " paragraph 8 ".

Commencement Information

I52 Sch. 5 para. 50 in force at 11.10.2004 by S.I. 2004/2624, **art. 2(1)**(2)(b)

51 In section 9 (interpretation), after subsection (2) there is inserted—

"(2A) In this Act—

"full Northern Ireland licence" means a Northern Ireland licence other than a Northern Ireland provisional licence,

"Northern Ireland provisional licence" means a Northern Ireland licence which corresponds to a provisional licence."

Commencement Information

I53 Sch. 5 para. 51 in force at 11.10.2004 by S.I. 2004/2624, **art. 2(1)**(2)(b)

52 Schedule 1 (newly qualified drivers holding test certificates) is amended as follows.

Commencement Information

I54 Sch. 5 para. 52 in force at 11.10.2004 by S.I. 2004/2624, **art. 2(1)**(2)(b)

53 In paragraph 1, at the end there is inserted—

"(3) In this Schedule "licence" includes a Northern Ireland licence, "full licence" includes a full Northern Ireland licence and "provisional licence" includes a Northern Ireland provisional licence.

(4) In relation to the holder of a Northern Ireland licence, the following sub-paragraphs have effect for the purposes of this Schedule.

Changes to legislation: *Crime (International Co-operation) Act 2003, SCHEDULE 5 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

(5) References to a test certificate are references to a certificate or other document (in this Schedule referred to as a "Northern Ireland test certificate") which is evidence that he has not more than two years previously passed a Northern Ireland test of competence to drive corresponding to the test mentioned in sub-paragraph (1).

(6) References to prescribed conditions are references to conditions subject to which the Northern Ireland provisional licence was granted."

Commencement Information

I55 Sch. 5 para. 53 in force at 11.10.2004 by S.I. 2004/2624, **art. 2(1)**(2)(b)

54 In paragraph 2, after sub-paragraph (4) there is inserted—

"(4A) In relation to the holder of a Northern Ireland licence, the reference in sub-paragraph (4)(b) to section 98(2) of the Road Traffic Act 1988 is a reference to the corresponding provision under the law of Northern Ireland."

Commencement Information

I56 Sch. 5 para. 54 in force at 11.10.2004 by S.I. 2004/2624, **art. 2(1)**(2)(b)

55 In paragraph 5—

(a) after sub-paragraph (1) there is inserted—

"(1A) Where the Secretary of State serves on the holder of a Northern Ireland licence a notice under sub-paragraph (1), the Secretary of State must send to the licensing authority in Northern Ireland particulars of the notice together with the Northern Ireland test certificate.

(1B) Where the Secretary of State is sent by that licensing authority particulars of a notice served on the holder of a licence under a provision of Northern Ireland law corresponding to sub-paragraph (1), he must by notice served on that person revoke his test certificate.",

[F11](b) . . . . . .

(c) at the end there is inserted—

"(4) In this paragraph and paragraph 8 references to the revocation of a person's Northern Ireland test certificate are references to its revocation as respects Great Britain.

(5) The effect of the revocation of a person's Northern Ireland test certificate as respects Great Britain is that any prescribed conditions to which his Northern Ireland provisional licence ceased to be subject when he became a qualified driver shall again apply for the purposes of section 109(1) of the Road Traffic Act 1988."

Changes to legislation: *Crime (International Co-operation) Act 2003, SCHEDULE 5 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

Textual Amendments

F11 Sch. 5 para. 55(b) repealed (31.3.2009) by Road Safety Act 2006 (c. 49), s. 61(1)(10), **Sch. 7(2)**; S.I. 2008/3164, art. 3(d)

Commencement Information

I57 Sch. 5 para. 55 in force at 11.10.2004 by S.I. 2004/2624, **art. 2(1)**(2)(b)

56 In paragraph 6, in sub-paragraph (1), for "paragraph 5(1)" there is substituted " paragraph 5, or whose Northern Ireland test certificate has been revoked under a provision of Northern Ireland law corresponding to paragraph 5(1), ".

Commencement Information

I58 Sch. 5 para. 56 in force at 11.10.2004 by S.I. 2004/2624, **art. 2(1)**(2)(b)

57 In paragraph 8—

(a) after sub-paragraph (1) there is inserted—

"(1A) Where the Secretary of State serves on the holder of a Northern Ireland licence a notice under sub-paragraph (1), the Secretary of State must send to the licensing authority in Northern Ireland particulars of the notice together with the Northern Ireland licence and the Northern Ireland test certificate.

(1B) Where the Secretary of State is sent by that licensing authority particulars of a notice served on the holder of a licence under a provision of Northern Ireland law corresponding to sub-paragraph (1), he must by notice served on that person revoke his licence and test certificate.",

[F12](b) . . . . . .

(c) at the end there is inserted—

"(3) In this paragraph references to the revocation of a person's Northern Ireland licence are references to its revocation as respects Great Britain; and, accordingly, the person ceases to be authorised by virtue of section 109(1) of the Road Traffic Act 1988 to drive in Great Britain a motor vehicle of any class."

Textual Amendments

F12 Sch. 5 para. 57(b) repealed (31.3.2009) by Road Safety Act 2006 (c. 49), s. 61(1)(10), **Sch. 7(2)**; S.I. 2008/3164, art. 3(d)

Commencement Information

I59 Sch. 5 para. 57 in force at 11.10.2004 by S.I. 2004/2624, **art. 2(1)**(2)(b)

58 In paragraph 9—

(a) in sub-paragraph (1), for "paragraph 8(1)" there is substituted " paragraph 8, or whose Northern Ireland licence and Northern Ireland test

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certificate have been revoked under a provision of Northern Ireland law corresponding to paragraph 8(1), ",

(b) in sub-paragraph (4)(b)(i), after "1988" there is inserted " , or under a provision of Northern Ireland law corresponding to that section, ".

Commencement Information
I60 Sch. 5 para. 58 in force at 11.10.2004 by S.I. 2004/2624, **art. 2(1)**(2)(b)

59 In paragraph 10(a)—

(a) for "paragraph 5(1)" there is substituted " paragraph 5 (or a person's Northern Ireland test certificate has been revoked under a provision of Northern Ireland law corresponding to paragraph 5(1)) ",

(b) for "paragraph 8(1)" there is substituted " paragraph 8 (or a person's Northern Ireland licence and Northern Ireland test certificate have been revoked under a provision of Northern Ireland law corresponding to paragraph 8(1)) ".

Commencement Information
I61 Sch. 5 para. 59 in force at 11.10.2004 by S.I. 2004/2624, **art. 2(1)**(2)(b)

60 In paragraph 11—

(a) in sub-paragraphs (1) and (2)(c), for "paragraph 5(1)" and "paragraph 8(1)" there is substituted " paragraph 5 " and " paragraph 8 " respectively,

(b) in sub-paragraph (1)(d), after "section 2" there is inserted " or (as the case may be) the provision of Northern Ireland law corresponding to that section ".

Commencement Information
I62 Sch. 5 para. 60 in force at 11.10.2004 by S.I. 2004/2624, **art. 2(1)**(2)(b)

The Criminal Law (Consolidation) (Scotland) Act 1995 (c. 39)

61 The Criminal Law (Consolidation) (Scotland) Act 1995 is amended as follows.

Commencement Information
I63 Sch. 5 para. 61 in force at 26.4.2004 by S.I. 2004/786, **art. 3**

62 In section 27 (Lord Advocate's direction), in subsection (2), for "section 4(2B) of the Criminal Justice (International Co-operation) Act 1990" there is substituted " section 15(4) of the Crime (International Co-operation) Act 2003 ".

Commencement Information
I64 Sch. 5 para. 62 in force at 26.4.2004 by S.I. 2004/786, **art. 3**

63 In section 28 (powers of investigation)—

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(a) in subsection (8), for the words from "by the" to the end there is substituted " by virtue of section 27(2) of this Act shall be given to the overseas authority which requested it or to the Lord Advocate for forwarding to that authority ",

(b) subsection (9) is omitted,

(c) in subsection (10), for "transmitted" (in both places) there is substituted " forwarded ".

Commencement Information

I65 Sch. 5 para. 63 in force at 26.4.2004 by S.I. 2004/786, **art. 3**

The Criminal Procedure (Scotland) Act 1995 (c. 46)

64 The Criminal Procedure (Scotland) Act 1995 is amended as follows.

Commencement Information

I66 Sch. 5 para. 64 in force at 26.4.2004 by S.I. 2004/786, **art. 3**

65 In section 210(1)(c) (consideration, in passing sentence of imprisonment or detention, of time spent in custody), at the end there is inserted " so however that a period of time spent both in custody on remand and, by virtue of section 47(1) of the Crime (International Co-operation) Act 2003, abroad is not for any reason to be discounted in a determination under paragraph (a) above or specification under paragraph (b) above ".

Commencement Information

I67 Sch. 5 para. 65 in force at 26.4.2004 by S.I. 2004/786, **art. 3**

The United Nations Personnel Act 1997 (c. 13)

66 The United Nations Personnel Act 1997 is amended as follows.

Commencement Information

I68 Sch. 5 para. 66 in force at 26.4.2004 by S.I. 2004/786, **art. 3**

67 In section 5 (supplementary provisions), in subsections (1) and (2), for "and the Nuclear Material (Offences) Act 1983" there is substituted " , the Nuclear Material (Offences) Act 1983 and the Terrorism Act 2000 ".

Commencement Information

I69 Sch. 5 para. 67 in force at 26.4.2004 by S.I. 2004/786, **art. 3**

Changes to legislation: *Crime (International Co-operation) Act 2003, SCHEDULE 5 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

The Data Protection Act 1998 (c. 29)

68 The Data Protection Act 1998 is amended as follows.

Commencement Information

I70 Sch. 5 para. 68 in force at 26.4.2004 by S.I. 2004/786, **art. 3**

69 In section 28(1) (national security), for "section" there is substituted "sections 54A and" .

Commencement Information

I71 Sch. 5 para. 69 in force at 26.4.2004 by S.I. 2004/786, **art. 3**

70 In section 60(2) and (3) (prosecutions and penalties), before "paragraph 12" there is inserted "section 54A and" .

Commencement Information

I72 Sch. 5 para. 70 in force at 26.4.2004 by S.I. 2004/786, **art. 3**

71 In section 63(5) (application to the Crown), for "section" there is substituted " sections 54A and " .

Commencement Information

I73 Sch. 5 para. 71 in force at 26.4.2004 by S.I. 2004/786, **art. 3**

The Powers of Criminal Courts (Sentencing) Act 2000 (c. 6)

F13 72 . . . . . .

Textual Amendments

F13 Sch. 5 paras. 72-74 repealed (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), Sch. 27); S.I. 2020/1236, reg. 2

F13 73 . . . . . .

Textual Amendments

F13 Sch. 5 paras. 72-74 repealed (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), Sch. 27); S.I. 2020/1236, reg. 2

F13 74 . . . . . .

Changes to legislation: *Crime (International Co-operation) Act 2003, SCHEDULE 5 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

Textual Amendments

F13 Sch. 5 paras. 72-74 repealed (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), Sch. 27); S.I. 2020/1236, reg. 2

The Terrorism Act 2000 (c. 11)

75 The Terrorism Act 2000 is amended as follows.

Commencement Information

I74 Sch. 5 para. 75 in force at 26.4.2004 by S.I. 2004/786, **art. 3**

76 In section 121 (interpretation), in the definition of "premises", before "includes" (in the first place) there is inserted " , except in section 63D, ".

Commencement Information

I75 Sch. 5 para. 76 in force at 26.4.2004 by S.I. 2004/786, **art. 3**

77 In section 123 (orders and regulations), in subsection (2), after paragraph (b) there is inserted—

"(ba) section 63C(3)(d);".

Commencement Information

I76 Sch. 5 para. 77 in force at 26.4.2004 by S.I. 2004/786, **art. 3**

The Regulation of Investigatory Powers Act 2000 (c. 23)

78 The Regulation of Investigatory Powers Act 2000 is amended as follows.

Commencement Information

I77 Sch. 5 para. 78 in force at 26.4.2004 by S.I. 2004/786, **art. 3**

79 In section 65 (investigatory powers tribunal)—

(a) in subsection (5)—

(i) after paragraph (c) there is inserted—

"(ca) the carrying out of surveillance by a foreign police or customs officer (within the meaning of section 76A);",

(ii) in paragraph (d), at the beginning there is inserted " other ",

(b) after subsection (7), there is inserted—

"(7A) For the purposes of this section conduct also takes place in challengeable circumstances if it takes place, or purports to take place, under section 76A."

Changes to legislation: *Crime (International Co-operation) Act 2003, SCHEDULE 5 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

Commencement Information

I78 Sch. 5 para. 79 in force at 26.4.2004 by S.I. 2004/786, **art. 3**

80 In section 78 (orders, regulations and rules), in subsection (3)(a), for "or 71(9)" there is substituted " , 71(9) or 76A(9) ".

Commencement Information

I79 Sch. 5 para. 80 in force at 26.4.2004 by S.I. 2004/786, **art. 3**

The Armed Forces Act 2001 (c. 19)

81 In section 31 of the Armed Forces Act 2001 (power to make provision in consequence of enactments relating to criminal justice), in subsection (7)—

(a) after "section" there is inserted " section 5 of the Criminal Justice (International Co-operation) Act 1990 and ",

(b) for "is" there is substituted " are ".

Commencement Information

I80 Sch. 5 para. 81 in force at 26.4.2004 by S.I. 2004/786, **art. 3**

The Proceeds of Crime Act 2002 (c. 29)

[F14]82 . . . . . .

Textual Amendments

F14 Sch. 5 para. 82 repealed (1.4.2008) by Serious Crime Act 2007 (c. 27), s. 94(1), **Sch. 14**; S.I. 2008/755, art. 2(1)(d) (with arts. 3-14)

[F15]83 . . . . . .

Textual Amendments

F15 Sch. 5 para. 83 repealed (1.4.2008) by Serious Crime Act 2007 (c. 27), s. 94(1), **Sch. 14**; S.I. 2008/755, art. 2(1)(d) (with arts. 3-14)

Changes to legislation:
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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:
Whole provisions yet to be inserted into this Act (including any effects on those provisions):

– s. 4A4B inserted by 2003 c. 44 Sch. 36 para. 16