



# Crime (International Co- operation) Act 2003

## 2003 CHAPTER 32

### PART 1

#### MUTUAL ASSISTANCE IN CRIMINAL MATTERS

#### CHAPTER 1

##### MUTUAL SERVICE OF PROCESS ETC.

##### *Service of overseas process in the UK*

### **2 Service of overseas process: supplementary**

- (1) Subsections (2) and (3) apply to any process served in a part of the United Kingdom by virtue of section 1 requiring a person to appear as a party or attend as a witness.
- (2) No obligation under the law of that part to comply with the process is imposed by virtue of its service.
- (3) The process must be accompanied by a notice—
  - (a) stating the effect of subsection (2),
  - (b) indicating that the person on whom it is served may wish to seek advice as to the possible consequences of his failing to comply with the process under the law of the country where it was issued or made, and
  - (c) indicating that under that law he may not be accorded the same rights and privileges as a party or as a witness as would be accorded to him in proceedings in the part of the United Kingdom in which the process is served.
- (4) Where a chief officer of police causes any process or document to be served under section 1, he must at once—

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*Status: This is the original version (as it was originally enacted).*

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- (a) tell the Secretary of State (or, as the case may be, the Lord Advocate) when and how it was served, and
  - (b) (if possible) provide him with a receipt signed by the person on whom it was served.
- (5) Where the chief officer of police is unable to cause any process or document to be served as directed, he must at once inform the Secretary of State (or, as the case may be, the Lord Advocate) of that fact and of the reason.