



Number 51 of 2019

Criminal Records (Exchange of Information) Act 2019



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CRIMINAL RECORDS (EXCHANGE OF INFORMATION) ACT 2019

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[No. 51.]

*Criminal Records (Exchange of
Information) Act 2019.*

[2019.]

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CRIMINAL RECORDS (EXCHANGE OF INFORMATION) ACT 2019

An Act to give effect to Council Framework Decision 2009/315/JHA¹ of 26 February 2009 on the organisation and content of the exchange of information extracted from the criminal record between Member States; to give effect to Council Decision 2009/316/JHA² of 6 April 2009 on the establishment of the European Criminal Records Information System (ECRIS) in application of Article 11 of Framework Decision 2009/315/JHA; and to provide for related matters. [26th December, 2019]

Be it enacted by the Oireachtas as follows:

Interpretation

1. (1) In this Act—

“Central Authority” means the central authority designated in the State under *section 2*;

“central authority”, in relation to a Member State, means a central authority designated in that Member State in accordance with Article 3 of the Framework Decision;

“conviction”, in relation to a person, means the conviction by a court of a natural person of an offence or, in the case of an appeal (whether against conviction or sentence, or both), the final decision of a court of the appeal or the withdrawal of the appeal, as recorded in the Criminal Records Database or, as the case may be, the criminal record of a Member State;

“court” means—

- (a) in relation to a conviction of a person in the State, any court in the State exercising criminal jurisdiction and includes a Special Criminal Court but does not include a court martial, or
- (b) in relation to a conviction of a person in a Member State or a third country, any court in the Member State or, as the case may be, third country exercising criminal jurisdiction;

“criminal record”, in relation to a Member State, means, subject to *section 6(5)*, the national register or registers in the Member State containing a record of convictions in accordance with its national law;

¹ OJ No. L 93, 7.4.2009, p. 23.

² OJ No. L 93, 7.4.2009, p. 33.