1993 No. 358

CRIMINAL PROCEDURE

The Criminal Justice (Confiscation) (Designated Countries and Territories) (1991 Order) (Amendment) (Northern Ireland) Order 1993

Made . . . . . *11th August 1993*

Coming into operation . . *1st November 1993*

To be laid before Parliament

The Secretary of State, in pursuance of Article 27 of the Criminal Justice (Confiscation) (Northern Ireland) Order 1990(**a**), hereby makes the following Order:—

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Criminal Justice (Confiscation) (Designated Countries and Territories) (1991 Order) (Amendment) (Northern Ireland) Order 1993 and shall come into operation on 1st November 1993.

(2) In this Order—

"the Order" means the Criminal Justice (Confiscation) (Northern Ireland) Order 1990 and "the principal Order" means the Criminal Justice (Confiscation) (Designated Countries and Territories) (Northern Ireland) Order 1991(**b**).

2. Schedule 1 to the principal Order shall be amended as follows—

(*a*) by the insertion at the appropriate places in alphabetical order of the entries for those countries and territories specified in the Schedule being countries and territories designated under Section 26 of the Drug Trafficking Offences Act 1986(**c**);

(*b*) by the removal of the entries for Hungary and the Union of Soviet Socialist Republics (including the Byelorussian Soviet Socialist Republic); and

(*c*) by the insertion opposite the entry for Ecuador, of the following entry: "Consejo Nacional de Control de Sustancias Estupefacientes y Psicotropicas (CONSEP)".

(a) S.I. 1990/2588 (N.I. 17)
(b) S.R. 1991 No. 221, amended by S.R. 1992 No. 469
(c) 1986 c. 32

3. The Appendix set out at the end of Schedule 3 to the principal Order (which defines the institution of proceedings for the purposes of sub-paragraph (*a*) of Article 2(13) of the Order as modified by Schedule 2 to the principal Order) shall be amended as follows—

(*a*) after the entry relating to the Cayman Islands, there shall be inserted the following—

"Ecuador	when a writ is issued by a judge initiating criminal proceedings";

(*b*) after the entry relating to Hong Kong, there shall be inserted the following—

"India	(*a*) when information relating to commission of any crime is received by any law enforcement agency empowered to investigate such crime under the law for the time being in force and laid before a court of law; (*b*) when any allegation is made orally or in writing to a court of law that a person has committed an offence; (*c*) when a person is charged with an offence; (*d*) when any investigation or inquiry into the commission of any offence is directed by a court of law";

(*c*) after the entry relating to Montserrat, there shall be inserted the following—

"Panama	when a person has been charged with an offence";

(*d*) after the entry relating to Saudi Arabia, there shall be inserted the following—

"South Africa	(*a*) when a summons is issued in respect of an offence; (*b*) when a person is charged with an offence; (*c*) when a bill of indictment is preferred".

4.—(1) In the modification of Article 2(13) of the Order (which defines when proceedings in a designated country are instituted) which is specified in paragraph 2(*f*) of Schedule 2 to the principal Order, there shall be inserted after sub-paragraph (*a*) of the said Article 2(13) the following sub-paragraph—

"(*aa*) where no steps have been specified in relation thereto as mentioned in sub-paragraph (*a*), the defendant has been notified in writing in accordance with the laws of the