



Jersey

**CRIMINAL JUSTICE (INTERNATIONAL
CO-OPERATION) (AMENDMENT No. 2)
(JERSEY) LAW 2012**

Arrangement

Article

1	Interpretation.....	3
2	Article 1 amended	3
3	Article 3 amended	3
4	Article 6 amended	4
5	Citation and commencement.....	4



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CRIMINAL JUSTICE (INTERNATIONAL CO-OPERATION) (AMENDMENT No. 2) (JERSEY) LAW 2012

A LAW to amend further the Criminal Justice (International Co-operation) (Jersey) Law 2001.

Adopted by the States 17th January 2012

Sanctioned by Order of Her Majesty in Council 30th May 2012

Registered by the Royal Court 15th June 2012

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, have adopted the following Law –

1 Interpretation

In this Law “principal Law” means the Criminal Justice (International Co-operation) (Jersey) Law 2001¹.

2 Article 1 amended

In Article 1 of the principal Law before the definition of “document” there shall be inserted the following definitions –

“‘assigned matter’ has the same meaning as in the Customs and Excise (Jersey) Law 1999²;

‘customs officer’ has the same meaning as ‘officer’ in the Customs and Excise (Jersey) Law 1999;”.

3 Article 3 amended

In Article 3(1) of the principal Law after the words “Process of” there shall be inserted the words “any of”.

4 Article 6 amended

After Article 6(5) of the principal Law there shall be inserted the following paragraphs –

- “(6) In relation to conduct referred to in paragraph (1)(b) that would have concerned or related to an assigned matter if the conduct had occurred in Jersey –
 - (a) a customs officer may be authorized by a warrant under paragraph (1) and shall have the same powers as a police officer under this Article; and
 - (b) the references in paragraphs (1), (3) and (4) to a police officer shall include references to a customs officer.
- (7) In the case of conduct described in paragraph (6) –
 - (a) a customs officer may execute a warrant issued under paragraph (1), whether the warrant authorizes a customs officer or a police officer, and a police officer may execute a warrant issued under paragraph (1), whether the warrant authorizes a police officer or a customs officer; and
 - (b) where a customs officer exercises the power of search pursuant to a warrant issued under paragraph (1), the customs officer shall have the same powers under this Article to seize evidence as a police officer notwithstanding that the evidence found is not in fact evidence of conduct described in paragraph (6).
- (8) Nothing in this Article shall be construed as preventing anything lawfully seized by a person under any enactment from being accepted and retained by a customs officer if the thing relates to conduct described in paragraph (6).”.

5 Citation and commencement

- (1) This Law may be cited as the Criminal Justice (International Co-operation) (Amendment No. 2) (Jersey) Law 2012.
- (2) This Law shall come into force on the 7th day after it is registered.

A.H. HARRIS

Deputy Greffier of the States

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- ¹ *chapter 08.300*
² *chapter 24.660*