



STATUTORY INSTRUMENTS.

S.I. No. 42 of 2010.



CRIMINAL JUSTICE (MUTUAL ASSISTANCE) ACT 2008 (SECTION 4)
ORDER 2010

(Prn. A10/0210)

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CRIMINAL JUSTICE (MUTUAL ASSISTANCE) ACT 2008 (SECTION 4)
ORDER 2010

I, MICHEÁL MARTIN, Minister for Foreign Affairs, in exercise of the powers conferred on me by section 4 of the Criminal Justice (Mutual Assistance) Act 2008 (No. 7 of 2008), after consultation with the Minister for Justice, Equality and Law Reform, hereby order as follows:

1. This Order may be cited as the Criminal Justice (Mutual Assistance) Act 2008 (Section 4) Order 2010.

2. This Order shall come into operation on the 1st day of February 2010.

3. In this Order—

“Act of 2008” means the Criminal Justice (Mutual Assistance) Act 2008 (No 7 of 2008);

“Ireland-US Treaty” has the same meaning it has in Part 7 of the Act of 2008.

4. Each of the states specified in Column 2 of the Schedule is designated for the purposes of mutual assistance between the State and that state under the Parts and provisions of the Act of 2008 specified in Column 3 of the Schedule opposite the mention of the state concerned in accordance with the relevant international instrument specified in Column 4 opposite the mention of the state concerned.

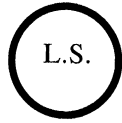
*Notice of the making of this Statutory Instrument was published in
“Iris Oifigiúil” of 19th February, 2010.*

SCHEDULE

ARTICLE 4

Designated states

Reference Number (1)	State (2)	Part or provision of Criminal Justice (Mutual Assistance) Act 2008 (3)	Relevant International Instrument (4)
1.	United States of America	Parts 2, 4 and 5; Part 6 (other than sections 83 and 88 to 92); Part 7	The Ireland-US Treaty
2.	Bailiwick of Jersey	Parts 4 and 5; Sections 80 to 82 and 97 to 99	The 1959 Convention
3.	Bailiwick of Guernsey	Parts 4 and 5; Sections 80 to 82 and 97 to 99	The 1959 Convention
4.	Isle of Man	Parts 4 and 5; Sections 80 to 82 and 97 to 99	The 1959 Convention



GIVEN under my Official Seal,
30 January 2010.

MICHEÁL MARTIN,
Minister for Foreign Affairs.

EXPLANATORY NOTE

(This note is not part of the Instrument and does not purport to be a legal interpretation.)

This Order designates the United States of America for the purpose of mutual assistance under the Criminal Justice (Mutual Assistance) Act 2008. Assistance will be provided under the provisions of the 2008 Act listed in the Order.

The designation of the United States of America for the purpose of mutual assistance arises from the EU/US Agreement on Mutual Legal Assistance of 25 June 2003 and the Ireland/US Treaty on Mutual Assistance in Criminal Matters of 18 January 2001 as amended by the Instrument as to the application of the Ireland/US Treaty, done at Dublin on 14 July 2005.

The Agreement, Treaty and Instrument are attached at Schedules 13 and 14 to the Criminal Justice (Mutual Assistance) Act 2008.

This Order also designates the UK territories of the Isle of Man, Bailiwick of Guernsey and Bailiwick of Jersey for the purpose of mutual assistance under the Criminal Justice (Mutual Assistance) Act 2008 (“2008 Act”). Assistance will be provided under the provisions of the 2008 Act listed in the Order.

This designation of these territories for the purpose of mutual assistance arises from the extension to these territories of the 1959 Council of Europe Convention on Mutual Assistance in Criminal Matters (“1959 Convention”)

The 1959 Convention is attached at Schedule 8, Part 1 to the 2008 Act.

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