



STATUTORY INSTRUMENTS.

S.I. No. 222 of 2012



CRIMINAL JUSTICE (MUTUAL ASSISTANCE) ACT 2008 (SECTION 4)
ORDER 2012

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CRIMINAL JUSTICE (MUTUAL ASSISTANCE) ACT 2008 (SECTION 4)
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I, Eamon Gilmore, Minister for Foreign Affairs and Trade, in exercise of the powers conferred on me by section 4 of the Criminal Justice (Mutual Assistance) Act 2008 (No. 7 of 2008) (as adapted by the Justice, Equality and Law Reform (Alteration of Name of Department and Title of Minister) Order 2010 (S.I. No. 216 of 2010) and by the Justice and Law Reform (Alteration of Name of Department and Title of Minister) Order 2011 (S.I. No. 138 of 2011), after consultation with the Minister for Justice and Equality, hereby order as follows:

1. This Order may be cited as the Criminal Justice (Mutual Assistance) Act 2008 (Section 4) Order 2012.
2. This Order shall come into operation on the 21st day of June 2012.
3. Each of the states specified in Schedule 1 is designated for the purposes of mutual assistance between the State and that state under the Criminal Justice (Mutual Assistance) Act 2008 (No. 7 of 2008), other than Part 3 of that Act, in accordance with Articles 46, 49, 50 and 54 to 57 of the United Nations Convention against Corruption, done at New York on 31 October 2003.
4. Each of the states specified in Schedule 2 is designated for the purposes of mutual assistance between the State and that state under the Criminal Justice (Mutual Assistance) Act 2008 (No. 7 of 2008), other than Part 3 of that Act, in accordance with Articles 13, 14, 18, 19 and 20 of the United Nations Convention against Transnational Organised Crime, done at New York on 15 November 2000.
5. The Criminal Justice (Mutual Assistance) Act 2008 (Section 4) (No. 2) Order 2012 is hereby repealed.

*Notice of the making of this Statutory Instrument was published in
"Iris Oifigiúil" of 29th June, 2012.*

SCHEDULE 1

Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Azerbaijan, Bahamas, Bahrain, Bangladesh, Belarus, Benin, Botswana, Bolivia, Bosnia and Herzegovina, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chile, China, Colombia, Congo, Cook Islands, Costa Rica, Croatia, Cuba, Democratic Republic of the Congo, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Gabon, Georgia, Ghana, Guatemala, Guinea-Bissau, Guyana, Haiti, Honduras, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Israel, Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Madagascar, Malawi, Malaysia, Maldives, Mali, Marshall Islands, Mauritania, Mauritius, Mexico, Micronesia (Federated States of), Moldova, Mongolia, Montenegro, Morocco, Mozambique, Namibia, Nepal, Nicaragua, Niger, Nigeria, Norway, Pakistan, Palau, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Republic of Korea, Russian Federation, Rwanda, Saint Lucia, Sao Tome and Principe, Senegal, Serbia, Seychelles, Sierra Leone, Singapore, Solomon Islands, South Africa, Sri Lanka, Switzerland, Tajikistan, Thailand, The Former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Uganda, Ukraine, United Arab Emirates, United Republic of Tanzania, United States of America, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia and Zimbabwe.

SCHEDULE 2

Afghanistan, Albania, Algeria, Andorra, Antigua and Barbuda, Argentina, Armenia, Australia, Azerbaijan, Bahamas, Bahrain, Bangladesh, Belarus, Belize, Benin, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Cook Islands, Costa Rica, Croatia, Cuba, Democratic Republic of the Congo, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Ethiopia, Gabon, Gambia, Georgia, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Holy See, Honduras, Iceland, India, Indonesia, Iraq, Israel, Jamaica, Jordan, Kazakhstan, Kenya, Kiribati, Kuwait, Kyrgyzstan, Lao Peoples Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Madagascar, Malawi, Malaysia, Mali, Marshall Islands, Mauritania, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nepal, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Qatar, Republic of Moldova, Russian Federation, Rwanda, Sao Tome and Principe, Saudi Arabia, San Marino, Senegal, Serbia, Seychelles, Singapore, South Africa, Sri Lanka, St. Kitts and Nevis, Sudan, St. Vincent and the Grenadines, Suriname, Switzerland, Syrian Arab Republic, Tajikistan, The former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Uganda, Ukraine, United Arab Emirates, United Republic of Tanzania, United States of America, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Yemen, Zambia, and Zimbabwe.



GIVEN under my Official Seal,
21 June 2012.

EAMON GILMORE,
Minister for Foreign Affairs and Trade.

EXPLANATORY NOTE

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

1. This Order designates states parties (other than member states of the European Union) to the United Nations Convention against Corruption (“UNCAC”) and the UN Convention on Transnational Organised Crime (“UNTOC”) for the purpose of mutual assistance under the Criminal Justice (Mutual Assistance) Act 2008 (“the 2008 Act”).

2. Under section 4 of the 2008 Act, the Minister for Foreign Affairs and Trade, after consultation with the Minister for Justice and Equality, may by order designate a state (other than an EU member state) for the purposes of mutual assistance between the State and that state under the 2008 Act, or specified Parts or provisions of it, in accordance with the “relevant international instrument”. The relevant international instrument is defined in section 2 of the 2008 Act as the “international instrument in accordance with which a request for assistance is made.” The international instruments, or provisions thereof, to which the 2008 Act gives effect are listed in the definition of “international instrument” in section 2 and appear as Schedules to the Act.

3. This Order enables the State to provide legal assistance to designated states in accordance with Articles 46, 49, 50 and 54 to 57 of UNCAC and Articles 13, 14, 18, 19 and 20 of UNTOC and the corresponding provisions of the 2008 Act.

BAILE ÁTHA CLIATH
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