

FIRST SUPPLEMENT TO THE GIBRALTAR GAZETTE

No. 4883 GIBRALTAR Friday 30th July 2021



I ASSENT,
DAVID STEEL,
GOVERNOR.

30th July 2021.



GIBRALTAR

No. 21 of 2021

AN ACT to amend the Mutual Legal Assistance (Council of Europe) Act 2018.

ENACTED by the Legislature of Gibraltar.

Title.

1. This Act may be cited as the Mutual Legal Assistance (Council of Europe) (Amendment) Act 2021.

Commencement.

2. This Act comes into operation on the day of publication.

Amendment of the the Mutual Legal Assistance (Council of Europe) Act 2018.

3.(1) The Mutual Legal Assistance (Council of Europe) Act 2018 is amended in accordance with this section.

(2) In section 2 –

(a) in subsection (1) in the definition “relevant offence” for paragraph (a) substitute-

“(a) which is not a political offence or an offence connected with a political offence; and”;

(b) in subsection (2) delete the comma after “Minister” and delete “offence”.

(3) After section 5(2), insert-

“(3) The Mutual Legal Assistance (International) Act 2005 shall for the purposes of this Act be deemed to be modified as if the definition of “offence” in section 2 of that Act included fiscal offences.”.

(4) After section 11, insert-

“Use of information and evidence.

11A. Any information or evidence obtained through a request for assistance, may not, without the consent of the Judicial Authority, be used for any purpose other than that specified in the request.”.

(5) After section 17, insert-

“Power to amend the Act to implement conventions and international agreements.

18.(1) The Minister may, by regulations, amend this Act for the purpose of implementing in Gibraltar-

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- (a) an international agreement or convention; or
 - (b) any other international obligations or standards concerned with the Convention; or
 - (c) the recommendations (however described) of international bodies that are involved with the adoption, monitoring or promotion of such obligations or standards.
- (2) Regulations made under subsection (1) may contain such consequential, supplementary, incidental and transitional provisions as the Minister considers it necessary or expedient.”.

Passed by the Gibraltar Parliament on the 29th day of July 2021.

P E MARTINEZ,
Clerk to the Parliament.