



DÁIL ÉIREANN

**AN BILLE UM CHEARTAS COIRIÚIL (AITHEANTAS
FRITHPHÁIRTEACH DO PHIANBHREITHEANNA
COIMEÁDTA), 2021**

**CRIMINAL JUSTICE (MUTUAL RECOGNITION OF
CUSTODIAL SENTENCES) BILL 2021**

**LEASUITHE COISTE
COMMITTEE AMENDMENTS**

DÁIL ÉIREANN

AN BILLE UM CHEARTAS COIRIÚIL (AITHEANTAS FRITHPHÁIRTEACH DO PHIANBHREITHEANNA COIMEÁDTA), 2021 —ROGHCHOISTE

CRIMINAL JUSTICE (MUTUAL RECOGNITION OF CUSTODIAL SENTENCES) BILL 2021 —SELECT COMMITTEE

Leasuithe Amendments

SECTION 2

1. In page 7, line 15, to delete “European Union, and” and substitute “European Union,”.

—An tAire Dlí agus Cirt.

2. In page 7, line 20, to delete “2011;” and substitute the following:

“2011, and

- (c) a state that is declared under *section 58** to be a Member State;”.

—An tAire Dlí agus Cirt.

*[*This is a reference to a section proposed to be inserted by Amendment No. 4.]*

SECTION 34

3. In page 24, between lines 18 and 19, to insert the following:

“(7) Where a court or person employed by, or acting for or on behalf of, the public administration of the State receives a judgment and a Framework Decision Certificate in respect of the judgment directly from the competent authority of an issuing state, the court or person, as the case may be, shall—

- (a) as soon as practicable send or arrange for the sending of, the judgment and the Framework Decision Certificate to the Minister, and

- (b) as soon as practicable so inform the competent authority of the issuing state by any means capable of producing a record in writing.

- (8) For the purposes of this Part, the sending of a judgment and Framework Decision Certificate to the Minister under *subsection (7)(a)* shall be deemed to constitute the forwarding of the documents.”.

—An tAire Dlí agus Cirt.

[SECTION 58]

SECTION 58

4. In page 46, between lines 11 and 12, to insert the following:

“Declaration of state to be Member State

58. The Minister may, by order, made following consultation with the Minister for Foreign Affairs, declare a state, other than a state referred to in *paragraph (a)* or *(b)* of the definition of “Member State” in *section 2(1)*, to be a Member State for the purposes of *paragraph (c)* of that definition, where he or she is satisfied that the state has, by agreement concluded by the state with the European Union, agreed to implement and apply—

- (a) the Framework Decision, or
- (b) an act or measure taken by the European Union amending or building upon the Framework Decision.”.

—An tAire Dlí agus Cirt.