

MUTUAL LEGAL ASSISTANCE

**Agreement between the
UNITED STATES OF AMERICA
and the UNITED KINGDOM OF GREAT BRITAIN
AND NORTHERN IRELAND**

Amending the Treaty of January 6, 1994

Effected by Exchange of Notes at
Washington April 30 and May 1, 2001



NOTE BY THE DEPARTMENT OF STATE

Pursuant to Public Law 89—497, approved July 8, 1966
(80 Stat. 271; 1 U.S.C. 113)—

“ . . .the Treaties and Other International Acts Series issued under the authority of the Secretary of State shall be competent evidence . . . of the treaties, international agreements other than treaties, and proclamations by the President of such treaties and international agreements other than treaties, as the case may be, therein contained, in all the courts of law and equity and of maritime jurisdiction, and in all the tribunals and public offices of the United States, and of the several States, without any further proof or authentication thereof.”

UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

Mutual Legal Assistance

Agreement amending the treaty of January 6, 1994.

Effected by exchange of notes at Washington

April 30 and May 1, 2001;

Entered into force May 1, 2001.

Note No: 34/01

Her Britannic Majesty's Embassy present their compliments to the Department of State and have the honour to refer to the Treaty between the Government of the United States of America and the Government of the United Kingdom of Great Britain and Northern Ireland on Mutual Legal Assistance in Criminal Matters ("the Treaty") signed on January 6, 1994, and in particular to the diplomatic notes exchanged between the Parties on that same date concerning the application of the Treaty. The diplomatic notes state, in pertinent part:

(d) The Treaty shall not apply to anti-trust or competition law investigations or proceedings at this time. The Central Authorities may at their discretion treat as proceedings for the purposes of this Treaty such anti-trust or competition law matters, or anti-trust or competition law matters generally, as may be agreed in writing between the Parties at a later date.

Her Britannic Majesty's Embassy have the honour to inform the Department of State that the Government of the United Kingdom of Great Britain and Northern Ireland no longer sees any reason for refusing to entertain requests for information in criminal anti-trust or competition law cases. Therefore, in the future, the United Kingdom of Great Britain and Northern Ireland will be prepared to offer assistance in respect of requests from the United States of America made pursuant to the Treaty for assistance in anti-trust and competition law investigations, subject to the normal scrutiny process applied to all other such requests.

Accordingly, Her Britannic Majesty's Embassy have the honour to propose that Paragraph (d) of the diplomatic note of 6 January 1994 shall no longer apply.

If this is acceptable to the Government of the United States of America, Her Britannic Majesty's Embassy have the honour to propose that this Note and reply shall constitute an agreement between our two Governments, which shall enter into force on the date of the Department of State's reply.

Her Britannic Majesty's Embassy avail themselves of this opportunity to renew to the Department of State the assurance of their highest consideration.

British Embassy
Washington DC

30 April 2001



The Department of State acknowledges receipt of Her Britannic Majesty's Embassy's Note of April 30, 2001, which reads as follows:

"Her Britannic Majesty's Embassy present their compliments to the Department of State and have the honour to refer to the Treaty between the Government of the United States of America and the Government of the United Kingdom of Great Britain and Northern Ireland on Mutual Legal Assistance in Criminal Matters ("the Treaty") signed on January 6, 1994, and in particular to the diplomatic notes exchanged between the Parties on that same date concerning the application of the Treaty. The diplomatic notes state, in pertinent part:

(d) The Treaty shall not apply to anti-trust or competition law investigations or proceedings at this time. The Central Authorities, may at their discretion treat as proceedings for the purposes of this Treaty such anti-trust or competition law matters, or anti-trust or competition law matters generally, as may be agreed in writing between the Parties at a later date.

Her Britannic Majesty's Embassy have the honour to inform the Department of State that the Government of the United Kingdom of Great Britain and Northern Ireland no longer sees any reason for refusing to entertain requests for information in criminal anti-trust or competition law cases. Therefore, in the future, the United Kingdom of Great Britain and Northern Ireland will be prepared to offer assistance in respect of requests from

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the United States of America made pursuant to the Treaty for assistance in anti-trust and competition law investigations, subject to the normal scrutiny process applied to all other such requests.

Accordingly, Her Britannic Majesty's Embassy have the honour to propose that Paragraph (d) of the diplomatic note of 6 January 1994 shall no longer apply.

If this is acceptable to the Government of the United States of America, Her Britannic Majesty's Embassy have the honour to propose that this Note and reply shall constitute an agreement between our two Governments, which shall enter into force on the date of the Department of State's reply.

Her Britannic Majesty's Embassy avail themselves of this opportunity to renew to the Department of State the assurance of their highest consideration."

The Department of State informs Her Britannic Majesty's Embassy that the foregoing proposals are acceptable to the Government of the United States of America and that Her Britannic Majesty's Embassy's Note and this Note shall constitute an agreement between the two Governments, which shall enter into force on this date.

SMW

Department of State,

Washington, May 1, 2001.