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

Effectuated 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

Effectuated 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

DIPLOMATIC NOTE
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.

[Signature]

Department of State,