



Anti-terrorism, Crime and Security Act 2001

2001 CHAPTER 24

PART 6

WEAPONS OF MASS DESTRUCTION

Supplemental provisions relating to sections 47 and 50

53 Customs and Excise prosecutions

- (1) Proceedings for a nuclear weapons offence may be instituted by order of the Commissioners of Customs and Excise if it appears to them that the offence has involved—
 - (a) the development or production outside the United Kingdom of a nuclear weapon;
 - (b) the movement of a nuclear weapon into or out of any country or territory;
 - (c) any proposal or attempt to do anything falling within paragraph (a) or (b).
- (2) In this section “nuclear weapons offence” means an offence under section 47 or 50 (including an offence of aiding, abetting, counselling, procuring or inciting the commission of, or attempting or conspiring to commit, such an offence).
- (3) Any proceedings for an offence which are instituted under subsection (1) shall be commenced in the name of an officer, but may be continued by another officer.
- (4) Where the Commissioners of Customs and Excise investigate, or propose to investigate, any matter with a view to determining—
 - (a) whether there are grounds for believing that a nuclear weapons offence has been committed, or
 - (b) whether a person should be prosecuted for such an offence,that matter shall be treated as an assigned matter within the meaning of the Customs and Excise Management Act 1979 (c. 2).

Status: This is the original version (as it was originally enacted).

- (5) Nothing in this section affects any powers of any person (including any officer) apart from this section.
- (6) In this section “officer” means a person commissioned by the Commissioners of Customs and Excise.
- (7) This section does not apply to the institution of proceedings in Scotland.