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STATUTORY RULES OF NORTHERN IRELAND

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**2016 No. 33**

**The Proceeds of Crime Act 2002 (Application of  
Police and Criminal Evidence (Northern Ireland)  
Order 1989) Order (Northern Ireland) 2016**

**Application of Article 23 of the 1989 Order**

4.—(1) Article 23 of the 1989 Order (access and copying) applies to powers of seizure under search and seizure warrants issued for the purposes of a confiscation investigation, a money laundering investigation [<sup>F1</sup>, a detained cash investigation, a detained property investigation or a frozen funds investigation] , with the modifications made by this article.

(2) In paragraph (1), for the words from the beginning to “after [<sup>F2</sup>the making of this Order] ” substitute “An appropriate person (within the meaning of Part 8 of the Proceeds of Crime Act 2002) who seizes anything under a search and seizure warrant issued under section 352 of the Proceeds of Crime Act 2002 for the purposes of a confiscation investigation, a money laundering investigation [<sup>F3</sup>, a detained cash investigation, a detained property investigation or a frozen funds investigation] ”.

(3) In paragraph (2), for “constable” substitute “appropriate person”.

(4) In paragraph (3)—

- (a) in sub-paragraph (a), for “a constable” substitute “an appropriate person”;
- (b) in sub-paragraph (b), for “police for the purpose of investigating an offence” substitute “appropriate person or an appropriate officer (within the meaning of Part 8 of the Proceeds of Crime Act 2002)”;
- (c) insert “appropriate” before “officer” the first time that word appears; and
- (d) for “a constable” where it appears at the end of the paragraph, substitute “an appropriate officer”.

(5) In paragraph (4)—

- (a) insert “appropriate” before “officer” the first time that word appears; and
- (b) in sub-paragraph (a) for “a constable” substitute “an appropriate officer”.

(6) In paragraph (5) for “a constable” substitute “an appropriate person”.

(7) In paragraph (8)—

- (a) before “officer” insert “appropriate”;
- (b) for sub-paragraph (b) substitute—

“(b) the investigating of an offence; or”;

[<sup>F4</sup>(c) in paragraph (c) after “proceedings” insert “(including proceedings related to the making of a confiscation order) or any proceedings under Chapter 2, 3, 3A, or 3B of Part 5 of the Proceeds of Crime Act 2002] ”

(8) In paragraph (9) for “a constable” substitute “an appropriate person” both times it appears.

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**Changes to legislation:** *There are currently no known outstanding effects for the The Proceeds of Crime Act 2002 (Application of Police and Criminal Evidence (Northern Ireland) Order 1989) Order (Northern Ireland) 2016, Section 4. (See end of Document for details)*

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- F1** Words in art. 4(1) substituted (28.6.2021) by The Proceeds of Crime Act 2002 (Application of Police and Criminal Evidence (Northern Ireland) Order 1989) (Amendment) Order (Northern Ireland) 2021 (S.R. 2021/155), arts. 1(1), **2(4)(a)**
- F2** Words in art. 4(2) substituted (23.3.2022) by The Proceeds of Crime Act 2002 (Application of Police and Criminal Evidence (Northern Ireland) Order 1989) (Amendment) Order (Northern Ireland) 2022 (S.R. 2022/74), arts. 1(1), **2(4)**
- F3** Words in art. 4(2) substituted (28.6.2021) by The Proceeds of Crime Act 2002 (Application of Police and Criminal Evidence (Northern Ireland) Order 1989) (Amendment) Order (Northern Ireland) 2021 (S.R. 2021/155), arts. 1(1), **2(4)(b)**
- F4** Art. 4(7)(c) substituted (28.6.2021) by The Proceeds of Crime Act 2002 (Application of Police and Criminal Evidence (Northern Ireland) Order 1989) (Amendment) Order (Northern Ireland) 2021 (S.R. 2021/155), arts. 1(1), **2(4)(c)**

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**Commencement Information**

- I1** Art. 4 in operation at 1.3.2016, see **art. 1(1)**

**Changes to legislation:**

There are currently no known outstanding effects for the The Proceeds of Crime Act 2002 (Application of Police and Criminal Evidence (Northern Ireland) Order 1989) Order (Northern Ireland) 2016, Section 4.