



Criminal Justice and Police Act 2001

2001 CHAPTER 16

PART 3

POLICE AND CRIMINAL EVIDENCE AND THE TERRORISM ACT

Persons authorised by the Secretary of State

85 Power to apply 1984 Act provisions

After section 114 of the 1984 Act (application of Act to Customs and Excise) there shall be inserted—

“114A Power to apply Act to officers of the Secretary of State etc.

- (1) The Secretary of State may by order direct that—
- (a) the provisions of Schedule 1 to this Act so far as they relate to special procedure material, and
 - (b) the other provisions of this Act so far as they relate to the provisions falling within paragraph (a) above,
- shall apply, with such modifications as may be specified in the order, for the purposes of investigations falling within subsection (2) as they apply for the purposes of investigations of offences conducted by police officers.
- (2) An investigation falls within this subsection if—
- (a) it is conducted by an officer of the department of the Secretary of State for Trade and Industry or by another person acting on that Secretary of State’s behalf;
 - (b) it is conducted by that officer or other person in the discharge of a duty to investigate offences; and
 - (c) the investigation relates to a serious arrestable offence or to anything which there are reasonable grounds for suspecting has involved the commission of a serious arrestable offence.

Changes to legislation: *There are currently no known outstanding effects for the Criminal Justice and Police Act 2001, Cross Heading: Persons authorised by the Secretary of State. (See end of Document for details)*

- (3) The investigations for the purposes of which provisions of this Act may be applied with modifications by an order under this section include investigations of offences committed, or suspected of having been committed, before the coming into force of the order or of this section.
- (4) An order under this section shall be made by statutory instrument and shall be subject to annulment in pursuance of a resolution of either House of Parliament.”

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