



# Crime (International Co-operation) Act 2003

## 2003 CHAPTER 32

### PART 1

#### MUTUAL ASSISTANCE IN CRIMINAL MATTERS

#### CHAPTER 4

##### INFORMATION ABOUT BANKING TRANSACTIONS

*Requests for information about banking transactions in England and Wales and Northern Ireland for use abroad*

### **32 Customer information**

- (1) This section applies where the Secretary of State receives a request from an authority mentioned in subsection (2) for customer information to be obtained in relation to a person who appears to him to be subject to an investigation in a participating country into serious criminal conduct.
- (2) The authority referred to in subsection (1) is the authority in that country which appears to the Secretary of State to have the function of making requests of the kind to which this section applies.
- (3) The Secretary of State may—
  - (a) direct a senior police officer to apply, or arrange for a constable to apply, for a customer information order,
  - (b) direct a senior customs officer to apply, or arrange for a customs officer to apply, for such an order.
- (4) A customer information order is an order made by a judge that a financial institution specified in the application for the order must, on being required to do so by notice in

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**Changes to legislation:** *Crime (International Co-operation) Act 2003, Section 32 is up to date with all changes known to be in force on or before 23 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

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writing given by the applicant for the order, provide any such customer information as it has relating to the person specified in the application.

- (5) A financial institution which is required to provide information under a customer information order must provide the information to the applicant for the order in such manner, and at or by such time, as the applicant requires.
- [<sup>F1</sup>(6) Section 364 of the Proceeds of Crime Act 2002 (meaning of customer information) has effect for the purposes of this section as if—
- (a) this section were included in Chapter 2 of Part 8 of that Act,
  - (b) subsections (2)(f) and (3)(i) of that section were omitted, and
  - (c) the amendments of that section made in relation to Northern Ireland by Article 14 of the Criminal Justice (Northern Ireland) Order 2005 (S.I. 2005/1965 (N.I. 15)) (which provide that “customer information” includes information in relation to safe deposit boxes) also extended to England and Wales.]
- (7) A customer information order has effect in spite of any restriction on the disclosure of information (however imposed).
- (8) Customer information obtained in pursuance of a customer information order is to be given to the Secretary of State and sent by him to the authority which made the request.

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**Textual Amendments**

- F1** S. 32(6) substituted (31.12.2020) by [European Union \(Future Relationship\) Act 2020 \(c. 29\), s. 40\(7\), Sch. 3 para. 3\(2\)](#) (with [Sch. 3 para. 3\(4\)](#)); S.I. 2020/1662, reg. 2(dd)
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**Commencement Information**

- I1** S. 32 in force at 1.11.2006 by [S.I. 2006/2811, art. 2](#)

**Changes to legislation:**

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 4A4B inserted by [2003 c. 44 Sch. 36 para. 16](#)