



Serious Organised Crime and Police Act 2005

2005 CHAPTER 15

PART 2

INVESTIGATIONS, PROSECUTIONS, PROCEEDINGS AND PROCEEDS OF CRIME

CHAPTER 1

INVESTIGATORY POWERS OF DPP, ETC.

Enforcement

67 Offences in connection with disclosure notices or search warrants

- (1) A person commits an offence if, without reasonable excuse, he fails to comply with any requirement imposed on him under section 62 or 63.
- (2) A person commits an offence if, in purported compliance with any requirement imposed on him under section 62 or 63—
 - (a) he makes a statement which is false or misleading, and
 - (b) he either knows that it is false or misleading or is reckless as to whether it is false or misleading.

“False or misleading” means false or misleading in a material particular.
- (3) A person commits an offence if he wilfully obstructs any person in the exercise of any rights conferred by a warrant under section 66.
- (4) A person guilty of an offence under subsection (1) or (3) is liable on summary conviction—
 - (a) to imprisonment for a term not exceeding 51 weeks, or
 - (b) to a fine not exceeding level 5 on the standard scale,

Changes to legislation: *Serious Organised Crime and Police Act 2005, Section 67 is up to date with all changes known to be in force on or before 18 March 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*

or to both.

- (5) A person guilty of an offence under subsection (2) is liable—
- (a) on conviction on indictment, to imprisonment for a term not exceeding two years or to a fine, or to both;
 - (b) on summary conviction, to imprisonment for a term not exceeding [^{F1}the general limit in a magistrates' court] or to a fine not exceeding the statutory maximum, or to both.
- (6) In the application of this section to Scotland, the reference to 51 weeks in subsection (4)(a) is to be read as a reference to 12 months.
- [^{F2}(7) In the application of this section to Northern Ireland—
- (a) the reference to 51 weeks in subsection (4)(a) is to be read as a reference to 6 months; and
 - (b) the reference to 12 months in subsection (5)(b) is to be read as a reference to 6 months.]

Textual Amendments

- F1** Words in s. 67(5)(b) substituted (7.2.2023 at 12.00 p.m.) by [The Judicial Review and Courts Act 2022 \(Magistrates' Court Sentencing Powers\) Regulations 2023 \(S.I. 2023/149\)](#), regs. 1(2), 2(1), **Sch. Pt. 1**
- F2** S. 67(7) inserted (1.12.2006) by [Northern Ireland \(Miscellaneous Provisions\) Act 2006 \(c. 33\)](#), s. 31(3), **Sch. 3 para. 8**; S.I. 2006/2966, art. 3

Modifications etc. (not altering text)

- C1** Ss. 60-67 extended (Northern Ireland) (1.12.2006) by [Northern Ireland \(Miscellaneous Provisions\) Act 2006 \(c. 33\)](#), **ss. 26(1), 31(3)**; S.I. 2006/2966, art. 3

Commencement Information

- I1** S. 67 in force at 1.4.2006 except to the extent that it extends to S. by S.I. 2005/1521, **art. 5(1)**
- I2** S. 67 in force at 1.4.2006 for S. by S.S.I. 2006/166, **art. 2(1)(a)**

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Commencement Orders yet to be applied to the Serious Organised Crime and Police Act 2005

Commencement Orders bringing provisions within this Act into force:

- [S.I. 2006/2182 art. 3](#) amendment to earlier commencing SI 2006/1871