



Serious Crime Act 2007

2007 CHAPTER 27

PART 3

OTHER MEASURES TO PREVENT OR DISRUPT SERIOUS AND OTHER CRIME

CHAPTER 2

PROCEEDS OF CRIME

Detained cash investigations: use of production orders and warrants

75 Use of production orders for detained cash investigations

- (1) After section 341(3) of the Proceeds of Crime Act 2002 (types of investigation to which Part 8 applies) insert—

“(3A) For the purposes of this Part a detained cash investigation is—

- (a) an investigation for the purposes of Chapter 3 of Part 5 into the derivation of cash detained under section 295 or a part of such cash, or
- (b) an investigation for the purposes of Chapter 3 of Part 5 into whether cash detained under section 295, or a part of such cash, is intended by any person to be used in unlawful conduct.”

- (2) In section 345(2) of that Act (investigations in respect of which production orders may be made), in paragraph (b), after “a civil recovery investigation” insert “ or a detained cash investigation ”.

- (3) In section 346(2) of that Act (reasonable suspicion requirement for making a production order), after paragraph (b), insert—

- “(ba) in the case of a detained cash investigation into the derivation of cash, the property the application for the order specifies as being subject to the investigation, or a part of it, is recoverable property;

Changes to legislation: There are currently no known outstanding effects for the Serious Crime Act 2007, Section 75. (See end of Document for details)

- (bb) in the case of a detained cash investigation into the intended use of cash, the property the application for the order specifies as being subject to the investigation, or a part of it, is intended by any person to be used in unlawful conduct;”.
- (4) In section 380(3) of that Act (investigations in respect of which production orders may be made in Scotland), in paragraph (b), after “a civil recovery investigation” insert “or a detained cash investigation ”.
- (5) In section 381(2) of that Act (reasonable suspicion requirement for making a production order in Scotland), after paragraph (b), insert—
 - “(ba) in the case of a detained cash investigation into the derivation of cash, the property the application for the order specifies as being subject to the investigation, or a part of it, is recoverable property;
 - (bb) in the case of a detained cash investigation into the intended use of cash, the property the application for the order specifies as being subject to the investigation, or a part of it, is intended by any person to be used in unlawful conduct;”.

Commencement Information

- I1** S. 75(1)-(3) in force at 6.4.2008 by S.I. 2008/755, art. 17(1)(a)
- I2** S. 75(4)(5) in force at 18.6.2009 by S.S.I. 2009/224, art. 2(1)(a)

Changes to legislation:

There are currently no known outstanding effects for the Serious Crime Act 2007, Section 75.