
STATUTORY INSTRUMENTS

2003 No. 425

The Proceeds of Crime Act 2002 (Investigations in different parts of the United Kingdom) Order 2003

PART 4

ENFORCEMENT IN SCOTLAND OF ENGLISH, WELSH AND NORTHERN IRELAND ORDERS AND WARRANTS

Northern Ireland search and seizure warrants

26.—(1) This article applies where a Northern Ireland search and seizure warrant authorises entry into and search of premises in Scotland.

(2) Section 352(4) of the Act (definition of search and seizure warrant) has effect with the modification that for “an appropriate person”, there is substituted “one or more appropriate persons, as the warrant specifies”.

(3) Section 352(5) of the Act (definition of appropriate person) has effect with the modifications in paragraph (4).

(4) The modifications are that for paragraphs (a) and (b), there are substituted—

“(a) a constable of the Police Service of Northern Ireland; or

(b) a constable of a police force in Scotland.”.

(5) Section 354 of the Act (further provisions) does not apply and section 389 of the Act (further provisions) applies as if the warrant were a Scottish search warrant.

(6) Article 7 of the Police and Criminal Evidence Order (application of article 18 of the Police and Criminal Evidence (Northern Ireland) Order 1989) does not apply to the execution of the warrant in Scotland.

(7) Article 22 of the Police and Criminal Evidence (Northern Ireland) Order 1989 (extension of powers to computerised information) does not apply to a power of seizure under the warrant exercised in Scotland.

(8) Section 390(3) of the Act (which deals with computerised information in relation to Scottish search warrants) has effect in relation to the execution of the warrant in Scotland as it has effect in relation to the execution of a Scottish search warrant.

(9) Articles 8 and 9 of the Police and Criminal Evidence Order (application of articles 23 and 24 of the Police and Criminal Evidence (Northern Ireland) Order 1989) have effect as if the warrant had been executed in Northern Ireland.

(10) Section 390(4) of the Act (which states that copies may be taken of material seized under a Scottish search warrant) does not apply.