
STATUTORY INSTRUMENTS

2003 No. 425

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

PART 1

INTRODUCTION

Title and commencement

1. This Order may be cited as the Proceeds of Crime Act 2002 (Investigations in different parts of the United Kingdom) Order 2003 and shall come into force on 1st April 2003.

Interpretation

2. In this Order—

“the Act” means the Proceeds of Crime Act 2002;

“an English or Welsh account monitoring order” means an order made in England and Wales under section 370(1) of the Act for the purposes of a confiscation investigation or a money laundering investigation;

“an English or Welsh appropriate officer” means—

(a) in relation to a confiscation investigation—

- (i) the Director;
- (ii) an accredited financial investigator;
- (iii) a constable of a police force in England and Wales⁽¹⁾; or
- (iv) a customs officer;

(b) in relation to a money laundering investigation—

- (i) an accredited financial investigator;
- (ii) a constable of a police force in England and Wales; or
- (iii) a customs officer;

“an English or Welsh customer information order” means an order made in England and Wales under section 363(1) of the Act for the purposes of a confiscation investigation or a money laundering investigation;

“an English or Welsh disclosure order” means an order made in England and Wales under section 357(1) of the Act for the purposes of a confiscation investigation;

(1) Police force has the meaning given to it in section 101 of the Police Act 1996 (c. 16) by virtue of Schedule 1 to the Interpretation Act 1978 (c. 30), as amended by Schedule 7 to the Police Act 1996.

“an English or Welsh production order” means an order made in England and Wales under section 345(1) of the Act for the purposes of a confiscation investigation or a money laundering investigation;

“an English or Welsh search and seizure warrant” means a warrant issued in England and Wales under section 352(1) of the Act for the purposes of a confiscation investigation or a money laundering investigation;

“a Northern Ireland account monitoring order” means an order made in Northern Ireland under section 370(1) of the Act for the purposes of a confiscation investigation or a money laundering investigation;

“a Northern Ireland appropriate officer” means—

(a) in relation to a confiscation investigation—

- (i) the Director;
- (ii) an accredited financial investigator;
- (iii) a constable of the Police Service of Northern Ireland⁽²⁾; or
- (iv) a customs officer;

(b) in relation to a money laundering investigation—

- (i) an accredited financial investigator;
- (ii) a constable of the Police Service of Northern Ireland; or
- (iii) a customs officer;

“a Northern Ireland customer information order” means an order made in Northern Ireland under section 363(1) of the Act for the purposes of a confiscation investigation or a money laundering investigation;

“a Northern Ireland disclosure order” means an order made in Northern Ireland under section 357(1) of the Act for the purposes of a confiscation investigation;

“a Northern Ireland production order” means an order made in Northern Ireland under section 345(1) of the Act for the purposes of a confiscation investigation or a money laundering investigation;

“a Northern Ireland search and seizure warrant” means a warrant issued in Northern Ireland under section 352(1) of the Act for the purposes of a confiscation investigation or a money laundering investigation;

“the Police and Criminal Evidence Order” means the Proceeds of Crime Act 2002 (Application of Police and Criminal Evidence Act 1984 and Police and Criminal Evidence (Northern Ireland) Order 1989) Order 2003⁽³⁾;

“a Scottish account monitoring order” means an order made under section 404(1) of the Act for the purposes of a confiscation investigation or a money laundering investigation;

“a Scottish customer information order” means an order made under section 397(1) of the Act for the purposes of a confiscation investigation or a money laundering investigation;

“a Scottish disclosure order” means an order made under section 391(1) of the Act for the purposes of a confiscation investigation;

“a Scottish production order” means an order made under section 380(1) of the Act for the purposes of a confiscation investigation or a money laundering investigation;

(2) Police Service of Northern Ireland has the meaning given to it in the Police (Northern Ireland) Act 2000 (c. 32), by virtue of Schedule 1 to the Interpretation Act 1978 (c. 30), as amended by Section 78 of and Schedule 6 to the Police (Northern Ireland) Act 2000.

(3) S.I.2003/174.

“a Scottish search warrant” means a warrant issued under section 387(1) of the Act for the purposes of a confiscation investigation or a money laundering investigation;
references to a constable of a police force in Scotland⁽⁴⁾ include references to a customs officer.

⁽⁴⁾ Police force has the meaning given to it in sections 50 and 51(4) of the Police (Scotland) Act 1967 (c. 77), by virtue of Schedule 1 to the Interpretation Act 1978 (c. 30).