

## SCHEDULE 3

Article 3(3)

### Amendments of secondary legislation

#### **The Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975**

1. In Schedule 1 to the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975(1) (excepted professions, offices, employments, work and occupations), in Part 2 (offices, employments and work), omit paragraph 18A.

#### **The Bail (Amendment) Act 1993 (Prescription of Prosecuting Authorities) Order 1994**

2. In the Schedule to the Bail (Amendment) Act 1993 (Prescription of Prosecuting Authorities) Order 1994(2), omit “The Director of Revenue and Customs Prosecutions and any person designated under section 37(1) of the Commissioners for Revenue and Customs Act 2005”.

#### **The Land Registration Rules 2003**

3. The Land Registration Rules 2003(3) are amended as follows.

4. In Schedule 1(4) (schedule 1 forms referred to in rules 206, 207A and 210), in Form CIT—

- (a) in certificates A to E and I, omit the entry “the Director of Revenue and Customs Prosecutions or a member of the Revenue and Customs Prosecutions Office authorised to apply on behalf of the Director”;
- (b) in certificate H, for the words “The Director of Revenue and Customs Prosecutions or a member of the Revenue and Customs Prosecutions Office authorised to apply on behalf of the Director” substitute “The Director of Public Prosecutions or a member of the Crown Prosecution Service authorised to apply on behalf of the Director”.

5. In Schedule 5(5) (applications in connection with court proceedings, insolvency and tax liability – qualifying applicants and appropriate certificates)—

- (a) omit the entry in column 1 that relates to the DRCP and the corresponding references in column 2 of that entry to Certificates A to E, H and I;
- (b) in column 2, in the entry that relates to the DPP, at the appropriate place, insert “Certificate H”.

#### **The Extradition Act 2003 (Part 3 Designation) Order 2003**

6. In article 2 of the Extradition Act 2003 (Part 3 Designation) Order 2003(6), omit paragraph (2) (a).

#### **The Crime (International Co-operation) Act 2003 (Designation of Prosecuting Authorities) Order 2004**

7. In article 2 of the Crime (International Co-operation) Act 2003 (Designation of Prosecuting Authorities) Order 2004(7), in paragraph (2), omit “the Director of Revenue and Customs

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(1) S.I. 1975/1023, amended by S.I. 2006/2143; there are other amending instruments but none are relevant.

(2) S.I. 1994/1438, amended by S.I. 2005/1129; there are other amending instruments but none are relevant.

(3) S.I. 2003/1417.

(4) Schedule 1 was amended by S.I. 2005/1766 and S.I. 2008/574; there are other amending instruments but none are relevant.

(5) Schedule 5 was amended by S.I. 2005/1766 and S.I. 2008/574; there are other amending instruments but none are relevant.

(6) S.I. 2003/3335, amended by S.I. 2005/1127; there are other amending instruments but none are relevant.

(7) S.I. 2004/1034, amended by S.I. 2005/1130; there are other amending instruments but none are relevant.

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Prosecutions and any person designated under section 37(1) of the Commissioners for Revenue and Customs Act 2005.”

#### **The Extradition Act 2003 (Part 3 Designation) (Amendment) Order 2005**

8. In article 2 of the Extradition Act 2003 (Part 3 Designation) (Amendment) Order 2005(8), omit sub-paragraph (a).

#### **The Crime (International Co-operation) Act 2003 (Designation of Prosecuting Authorities) (Amendment) Order 2005**

9. In article 2 of the Crime (International Co-operation) Act 2003 (Designation of Prosecuting Authorities) (Amendment) Order 2005(9), omit paragraph (3).

#### **The Revenue and Customs (Inspections) Regulations 2005**

10. In regulation 2 of the Revenue and Customs (Inspections) Regulations 2005(10) (interpretation), in the definition of “Director”, for “the Director of Revenue and Customs Prosecutions” substitute “the Director of Public Prosecutions”.

#### **The Criminal Justice (International Co-operation) Act 1990 (Enforcement of Overseas Forfeiture Orders) Order 2005**

11. The Criminal Justice (International Co-operation) Act 1990 (Enforcement of Overseas Forfeiture Orders) Order 2005(11) is amended as follows.

12. In article 3 (action on receipt of request for restraint of property), in paragraph (1), omit “or the Director of Revenue and Customs Prosecutions”.

13. In article 15 (action on receipt of external forfeiture order in connection with criminal convictions), in paragraph (1), for the words from “to—” to the end substitute “to the Director of Public Prosecutions to process it.”

#### **The Proceeds of Crime Act 2002 (External Requests and Orders) Order 2005**

14. The Proceeds of Crime Act 2002 (External Requests and Orders) Order 2005(12) is amended as follows.

15. In article 6(13) (action on receipt of external request in connection with criminal investigations or proceedings), in paragraph (1), for the words from “to—” to the end substitute “to the Director of Public Prosecutions to process it.”

16. In article 18(14) (action on receipt of external order in connection with criminal convictions), in paragraph (1), for the words from “to—” to the end substitute “to the Director of Public Prosecutions to process it.”

17. In article 34 (sums received by relevant director), in paragraph (6), for “the Crown Prosecution Service, the Serious Fraud Office or the Revenue and Customs Prosecution Office” substitute “the Crown Prosecution Service or the Serious Fraud Office”.

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(8) [S.I. 2005/1127](#).

(9) [S.I. 2005/1130](#).

(10) [S.I. 2005/1133](#).

(11) [S.I. 2005/3180](#).

(12) [S.I. 2005/3181](#).

(13) There are amending instruments, but none are relevant.

(14) There are amending instruments, but none are relevant.

18. In article 141R(15) (interpretation), in paragraph (1), in the definition of “enforcement authority”, in paragraph (a), omit “, the Director of Revenue and Customs Prosecutions”.

19. In article 213(16) (general interpretation), in paragraph (1), in the definition of “enforcement authority”, in paragraph (a), omit “, the Director of Revenue and Customs Prosecutions”.

#### **The Public Contracts Regulations 2006**

20. In Schedule 1 to the Public Contracts Regulations 2006(17) (GPA Annex 1 contracting authorities), omit “The Revenue and Customs Prosecutions Office”.

#### **The Money Laundering Regulations 2007**

21. In regulation 46 of the Money Laundering Regulations 2007(18) (prosecution of offences), in paragraph (1)(a), omit “the Director of Revenue and Customs Prosecutions or by”.

#### **The Transfer of Funds (Information on the Payer) Regulations 2007**

22. In regulation 15 of the Transfer of Funds (Information on the Payer) Regulations 2007(19) (prosecution of offences), in paragraph (1)(a), omit “the Director of Revenue and Customs Prosecutions or by”.

#### **The Serious Organised Crime and Police Act 2005 and Serious Crime Act 2007 (Consequential and Supplementary Amendments to Secondary Legislation) Order 2008**

23. In the Schedule to the Serious Organised Crime and Police Act 2005 and Serious Crime Act 2007 (Consequential and Supplementary Amendments to Secondary Legislation) Order 2008(20) (amendment of statutory instruments and statutory rules of Northern Ireland relating to ARA, its Director and SOCA), omit paragraph 6(3)(c).

#### **The UK Border Agency (Complaints and Misconduct) Regulations 2010**

24. The UK Border Agency (Complaints and Misconduct) Regulations 2010(21) are amended as follows.

25. In regulation 46 (restrictions on proceedings pending the conclusion of an investigation), in paragraph (3), omit “or, as the case may be, the Director of Revenue and Customs Prosecutions”.

26. In regulation 61 (action by a police force on completion of an investigation report), in paragraphs (3)(a), (5), (6) and (7), omit “or, as the case may be, the Director of Revenue and Customs Prosecutions”.

27. In regulation 62 (final reports on investigations: complaints, conduct matters and certain DSI matters), in paragraph (4), omit “or, as the case may be, the Director of Revenue and Customs Prosecutions”.

28. In regulation 63 (action by the IPCC in response to an investigation report under regulation 62), in paragraphs (2)(c), (4), (5) and (6), omit “or, as the case may be, the Director of Revenue and Customs Prosecutions”.

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(15) Article 141R was inserted by [S.I. 2013/2604](#).

(16) Article 213 was amended by [S.I. 2008/302](#); there are other amending instruments but none are relevant.

(17) [S.I. 2006/5](#); there are amendments, but none are relevant to this Order.

(18) [S.I. 2007/2157](#).

(19) [S.I. 2007/3298](#).

(20) [S.I. 2008/574](#).

(21) [S.I. 2010/782](#).

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**29.**—(1) Regulation 70 (appeals to the IPCC with respect to an investigation) is amended as follows.

(2) In paragraph (2)(e), omit “or the Director of Revenue and Customs Prosecutions”.

(3) In paragraphs (3)(e) and (9)(a), omit “or, as the case may be, the Director of Revenue and Customs Prosecutions”.

### **The Revenue and Customs (Complaints and Misconduct) Regulations 2010**

**30.** The Revenue and Customs (Complaints and Misconduct) Regulations 2010(**22**) are amended as follows.

**31.** In regulation 40 (power of the IPCC to impose requirements in relation to an investigation which it is supervising), in paragraph (2), for the words from “consent” to the end substitute “consent of the Director of Public Prosecutions to the imposition of any such requirement.”.

**32.** In regulation 52 (restrictions on proceedings pending the conclusion of an investigation, in paragraph (3), omit “or, as the case may be, the Director of Revenue and Customs Prosecutions”.

**33.**—(1) Regulation 67 (action by the IPCC in response to an investigation report under regulation 66) is amended as follows.

(2) In paragraph (2)(c), omit “or the Director of Revenue and Customs Prosecutions”.

(3) In paragraphs (4), (5) and (6), omit “or, as the case may be, the Director of Revenue and Customs Prosecutions”.

**34.** In regulation 68 (action by the appropriate authority in response to an investigation report under regulation 66), in paragraphs (2)(b), (4), (5), (6) and (9)(b), omit “or, as the case may be, the Director of Revenue and Customs Prosecutions”.

**35.** In regulation 74 (appeals to the IPCC with respect to an investigation), in paragraphs (2)(e), (3)(d) and (10)(a), omit “or, as the case may be, the Director of Revenue and Customs Prosecutions”.

### **The Customs Disclosure of Information and Miscellaneous Amendments Regulations 2012**

**36.** In regulation 4 of the Customs Disclosure of Information and Miscellaneous Amendments Regulations 2012(**23**) (penalties for offence of disclosure of restricted information), in paragraph (2), for the words from “only—” to the end substitute “only by or with the consent of the Director of Public Prosecutions.”.

### **The Extradition Act 2003 (Designation of Prosecutors) (England and Wales and Northern Ireland) Order 2013**

**37.** In the Schedule to the Extradition Act 2003 (Designation of Prosecutors) (England and Wales and Northern Ireland) Order 2013(**24**) (listed prosecutors), omit “The Director of Revenue and Customs Prosecutions”.

### **The Proceeds of Crime Act 2002 (External Investigations) Order 2013**

**38.**—(1) Article 2 of the Proceeds of Crime Act 2002 (External Investigations) Order 2013(**25**) (interpretation) is amended as follows.

(2) In paragraph (7)(a), omit “, the Director of Revenue and Customs Prosecutions”.

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(22) [S.I. 2010/1813](#).

(23) [S.I. 2012/1848](#).

(24) [S.I. 2013/2388](#).

(25) [S.I. 2013/2605](#)

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(3) In paragraph (8)(a), omit “or the Director of Revenue and Customs Prosecutions,”.