

SCHEDULE

Article 2

Amendments to the Table of Contents in the Investigations Order

1. In the Table of Contents in the Investigations Order—
 - (a) after the reference to paragraph 12 (Scottish account monitoring orders) insert—
 - “12A. Northern Ireland further information orders
 - 12B. Scottish further information orders
 - 12C. Scottish moratorium extension orders”.
 - (b) After the reference to paragraph 22 (Scottish account monitoring orders) insert—
 - “22A. English or Welsh further information orders
 - 22B. Scottish further information orders”.
 - (c) After the reference to paragraph 32 (Scottish account monitoring orders) insert—
 - “32A. English or Welsh further information orders
 - 32B. Northern Ireland further information orders
 - 32C. English or Welsh moratorium extension orders”.

Amendments to Part 1 of the Investigations Order

2. Article 2 (Interpretation) is amended as follows—
 - (a) after paragraph (c) insert—
 - “(d) in relation to a detained property investigation—
 - (i) a constable of a police force in England and Wales;
 - (ii) an accredited financial investigator; or
 - (iii) an officer of Revenue and Customs;
 - (e) in relation to a frozen funds investigation—
 - (i) a constable of a police force in England and Wales;
 - (ii) an accredited financial investigator; or
 - (iii) an officer of Revenue and Customs;”;
 - (b) in the definition of “an English or Welsh disclosure order”, after “confiscation investigation” insert “or, for the purposes of Part 4 of this Order (Enforcement in Scotland of English, Welsh and Northern Ireland orders and warrants), a money laundering investigation”;
 - (c) after the definition of “an English or Welsh disclosure order”, insert—
 - ““an English or Welsh further information order” means an order made by a court in England or Wales under section 339ZH of the Act (further information orders);
 - “an English or Welsh moratorium extension order” means an order made by a court in England or Wales under section 336A of the Act (power of court to extend the moratorium period);”;
 - (d) in the definition of “an English or Welsh production order”, for “or a detained cash investigation” substitute “, a detained cash investigation, or for the purposes of Part 4 of this Order (Enforcement in Scotland of English, Welsh and Northern Ireland orders and warrants) a detained property investigation or a frozen funds investigation”;

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- (e) in the definition of “an English or Welsh search and seizure warrant”, for “or a detained cash investigation” substitute “, a detained cash investigation, or for the purposes of Part 4 of this Order (Enforcement in Scotland of English, Welsh and Northern Ireland orders and warrants) a detained property investigation or a frozen funds investigation”;
- (f) after the definition of “an English or Welsh search and seizure warrant”, insert—
““an English or Welsh senior officer” means an officer of a description listed in section 336D(7) of the Act (sections 336A to 336C: interpretation);”;
- (g) after the definition of “a Northern Ireland disclosure order”, insert—
““a Northern Ireland further information order” means an order made by a court in Northern Ireland under section 339ZH of the Act (further information orders);”;
- (h) in the definition of “a Scottish disclosure order”, after “confiscation investigation” insert “or, for the purposes of part 2 of this Order (Enforcement in England and Wales of Scottish and Northern Ireland orders and warrants), a money laundering investigation”;
- (i) after the definition of “a Scottish disclosure order”, insert—
““a Scottish further information order” means an order made by a court in Scotland under section 339ZH of the Act (further information orders);
“a Scottish moratorium extension order” means an order made by a court in Scotland under section 336A of the Act (power of court to extend the moratorium period);”.

Amendments to Part 2 of the Investigations Order

3. After article 12 (Scottish account monitoring orders) insert—

“Northern Ireland further information orders

12A.—(1) This article applies where a Northern Ireland further information order is made in respect of a person in England and Wales.

- (2) The further information order may be served—

- (a) by sending it by post, facsimile transmission or electronic mail to the respondent;
or
- (b) personally by the Director General of the National Crime Agency or any other National Crime Agency officer authorised by the Director General (whether generally or specifically) for this purpose,

and any rules of court (other than rules of court made by virtue of section 339ZK(5) of the Act) as to the service of documents or other requirements in law as to the service of documents do not apply.

(3) Section 339ZI of the Act (statements) applies in relation to criminal proceedings brought in England and Wales, as well as criminal proceedings brought in Northern Ireland.

Scottish further information orders

12B.—(1) This article applies where a Scottish further information order is made in respect of a person in England and Wales.

- (2) The further information order may be served—

- (a) by sending it by post, facsimile transmission or electronic mail to the respondent;
or
- (b) personally by the Director General of the National Crime Agency or any other National Crime Agency officer authorised by the Director General (whether

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generally or specifically) for this purpose, or by a constable of a police force in Scotland,

and the Summary Jurisdiction (Process) Act 1881⁽¹⁾, any rules of court as to the service of documents (other than rules of court made by virtue of section 339ZK(5) of the Act) and any other requirements in law as to the service of documents do not apply.

(3) Section 339ZI of the Act (statements) applies in relation to criminal proceedings brought in England and Wales, as well as criminal proceedings brought in Scotland.

Scottish moratorium extension orders

12C.—(1) This article applies where a Scottish moratorium extension order is made in respect of a person in England and Wales.

(2) The moratorium extension order may be served—

- (a) by sending it by post, facsimile transmission or electronic mail to each interested person⁽²⁾; or
- (b) personally by an English or Welsh senior officer, or by a constable of a police force in Scotland,

and the Summary Jurisdiction (Process) Act 1881, any rules of court as to the service of documents and any other requirements in law as to the service of documents do not apply.”.

Amendments to Part 3 of the Investigations Order

4. After article 22 (Scottish account monitoring orders) insert—

“English or Welsh further information orders

22A.—(1) This article applies where an English or Welsh further information order is made in respect of a person in Northern Ireland.

(2) The further information order may be served—

- (a) by sending it by post, facsimile transmission or electronic mail to the respondent; or
- (b) personally by the Director General of the National Crime Agency or any other National Crime Agency officer authorised by the Director General (whether generally or specifically) for this purpose,

and any rules of court as to the service of documents (other than rules of court made by virtue of section 339ZK(5) of the Act) and other requirements in law as to the service of documents do not apply.

(3) Section 339ZI of the Act (statements) applies in relation to criminal proceedings brought in Northern Ireland, as well as criminal proceedings brought in England and Wales.

Scottish further information orders

22B.—(1) This article applies where a Scottish further information order is made in respect of a person in Northern Ireland.

(2) The further information order may be served—

(1) 1881 c. 24 (44 & 45 Vict).

(2) “Interested person” is defined in section 336D(3) of the Proceeds of Crime Act 2002, which was inserted by section 10 of the Criminal Finances Act 2017.

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- (a) by sending it by post, facsimile transmission or electronic mail to the respondent;
or
- (b) personally by the Director General of the National Crime Agency or any other National Crime Agency officer authorised by the Director General (whether generally or specifically) for this purpose, or by a constable of a police force in Scotland,

and any rules of court as to the service of documents (other than rules of court made by virtue of section 339ZK(5) of the Act) and any other requirements in law as to the service of documents do not apply.

(3) Section 339ZI of the Act (statements) applies in relation to criminal proceedings brought in Northern Ireland, as well as criminal proceedings brought in Scotland.”.

Amendments to Part 4 of the Investigations Order

5. After article 32 (Northern Ireland account monitoring orders) insert—

“English or Welsh further information orders

32A.—(1) This article applies where an English or Welsh further information order is made in respect of a person in Scotland.

(2) The further information order may be served—

- (a) by sending it by post, facsimile transmission or electronic mail to the respondent;
or
- (b) personally by a constable of a police force in Scotland or by the Director General of the National Crime Agency or any other National Crime Agency officer authorised by the Director General (whether generally or specifically) for this purpose,

and any rules of court as to the service of documents (other than rules of court made by virtue of section 339ZK(5) of the Act) or other requirements in law as to the service of documents do not apply.

(3) Section 339ZI of the Act (statements) applies in relation to criminal proceedings brought in Scotland, as well as criminal proceedings brought in England and Wales.

Northern Ireland further information orders

32B.—(1) This article applies where a Northern Ireland further information order is made in respect of a person in Scotland.

(2) The further information order may be served—

- (a) by sending it by post, facsimile transmission or electronic mail to the respondent;
or
- (b) personally by a constable of a police force in Scotland or by the Director General of the National Crime Agency or any other National Crime Agency officer authorised by the Director General (whether generally or specifically) for this purpose,

and any rules of court as to the service of documents (other than rules of court made by virtue of section 339ZK(5) of the Act) or other requirements in law as to the service of documents do not apply.

(3) Section 339ZI of the Act (statements) applies in relation to criminal proceedings brought in Scotland, as well as criminal proceedings brought in Northern Ireland.

English or Welsh moratorium extension orders

32C.—(1) This article applies where an English or Welsh moratorium extension order is made in respect of a person in Scotland.

(2) The moratorium extension order may be served—

- (a) by sending it by post, facsimile transmission or electronic mail to each interested person; or
- (b) personally by a constable of a police force in Scotland or by an English or Welsh senior officer,

and any rules of court as to the service of documents and any other requirements in law as to the service of documents do not apply.”

Amendment to Part 5 of the Investigations Order

6. In article 33(1), for “or a detained cash investigation” substitute “, a detained cash investigation, a detained property investigation or a frozen funds investigation”.