
STATUTORY RULES OF NORTHERN IRELAND

2016 No. 33

**The Proceeds of Crime Act 2002 (Application of
Police and Criminal Evidence (Northern Ireland)
Order 1989) Order (Northern Ireland) 2016**

Application of Article 18 of the 1989 Order

3.—(1) Article 18 of the 1989 Order (execution of warrants) applies to search and seizure warrants sought for the purposes of a confiscation investigation, a money laundering investigation or a detained cash investigation, with the modifications made by this article.

(2) Omit paragraph (1).

(3) For paragraph (2), substitute—

“(2) A search and seizure warrant issued under section 352 of the Proceeds of Crime Act 2002 may authorise persons to accompany any appropriate person (within the meaning of Part 8 of that Act) who is executing it.”

(4) Omit paragraphs (3A) and (3B).

(5) For paragraphs (9) to (10A), substitute—

“(9) In the case of a warrant which is issued because the judge is satisfied that the requirement in section 352(6)(a) of the Proceeds of Crime Act 2002 is satisfied (production order made and not complied with), an appropriate person executing a warrant shall make an endorsement on it stating—

(a) whether the material sought was found; and

(b) whether any material was seized, other than material which was sought.

(10) A warrant which—

(a) has been executed; or

(b) has not been executed, upon the expiry of the period of three months referred to in paragraph (3) or sooner,

must be returned to the appropriate officer of the court from which it was issued.”

(6) In paragraph (11), for the words after “its return” to the end, substitute “by the appropriate officer of the court”.

(7) For “the constable” wherever those words appear, substitute “the appropriate person”.

(8) For “a constable” wherever those words appear, substitute “an appropriate person”.