
EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends Part IV of the [Proceeds of Crime \(Northern Ireland\) Order 1996 \(NI 9\)](#) (“the 1996 Order”).

Articles 3 and 4 extend Articles 49 to 52 of the 1996 Order (additional investigation powers) to cover investigations into the extent or whereabouts of property held or transferred within the previous 6 years by or to a person who has benefited from conduct to which Article 49 applies.

Article 3 also extends Article 49 of the 1996 Order to allow a senior customs officer to apply for a financial investigator to be appointed and to allow a senior police officer or a senior customs officer to apply for a police officer or customs officer to be authorised to exercise certain powers to require information under Schedule 2 to the 1996 Order from financial businesses and solicitors. Article 4 also extends Article 50 of the 1996 Order (order to make material available) to allow financial investigators rights of access to material under orders made under Article 50 but restricts paragraph (6) of Article 50 so as to require notice of an application for certain orders under that Article addressed to a solicitor in certain circumstances.

Articles 5 to 8 amend Schedule 2 to the 1996 Order (financial investigations).

Article 5 extends the power to require information under paragraph 3 of that Schedule to persons carrying on relevant financial business within the meaning of the Money Laundering Regulations 1993 (S.I.1993/1933). Article 6 provides a power to require a solicitor to provide information as to whether a specified person was a client of his in respect of certain matters and about the nature of any transaction relating to them. Article 7 extends the time limit for bringing summary proceedings for offences under paragraph 5 of that Schedule and Article 8 makes certain minor and consequential amendments.