



Proceeds of Crime Act 2002

2002 CHAPTER 29

PART 8

INVESTIGATIONS

CHAPTER 3

SCOTLAND

Search warrants

387 Search warrants

- (1) The sheriff may, on an application made to him by the appropriate person, issue a search warrant if he is satisfied that either of the requirements for the issuing of the warrant is fulfilled.
- (2) In issuing a search warrant in relation to ^{F1}... a civil recovery investigation [^{F2}, a detained cash investigation, a detained property investigation or a frozen funds investigation], the sheriff shall act in the exercise of his civil jurisdiction.
- (3) The application for a search warrant must state that—
 - (a) a person specified in the application is subject to a confiscation investigation [^{F3}, a civil recovery investigation] or a money laundering investigation, or
 - (b) property specified in the application is subject to a civil recovery investigation [^{F4}, a detained cash investigation, a detained property investigation [^{F5}, a frozen funds investigation or a cryptoasset investigation]].
- (4) A search warrant is a warrant authorising a proper person—
 - (a) to enter and search the premises specified in the application for the warrant, and

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- (b) to seize and retain any material specified in the warrant which is found there and which is likely to be of substantial value (whether or not by itself) to the investigation for the purposes of which the application is made.

[^{F6}(4A) A proper person may, if necessary, use reasonable force in executing a search warrant.]

- (5) The requirements for the issue of a search warrant are—
- (a) that a production order made in relation to material has not been complied with and there are reasonable grounds for believing that the material is on the premises specified in the application for the warrant, or
- (b) that section 388 is satisfied in relation to the warrant.
- (6) An application for a search warrant may be made *ex parte* to a sheriff in chambers.

Textual Amendments

- F1** Words in s. 387(2) omitted (1.6.2015) by virtue of [Crime and Courts Act 2013 \(c. 22\)](#), s. 61(2), [Sch. 19 para. 16\(2\)](#); S.I. 2015/964, art. 2(d) (with art. 3)
- F2** Words in s. 387(2) substituted (27.4.2017 for specified purposes, 31.1.2018 for E.W.S. for specified purposes, 16.4.2018 for E.W.S. in so far as not already in force, 28.6.2021 for N.I. in so far as not already in force) by [Criminal Finances Act 2017 \(c. 22\)](#), s. 58(5)(6), [Sch. 5 para. 64](#); S.I. 2018/78, reg. 5(3)(a)(i)(ii); S.I. 2021/724, reg. 4(i)
- F3** Words in s. 387(3)(a) inserted (1.6.2015) by [Crime and Courts Act 2013 \(c. 22\)](#), s. 61(2), [Sch. 19 para. 16\(3\)](#); S.I. 2015/964, art. 2(d) (with art. 3)
- F4** Words in s. 387(3)(b) substituted (27.4.2017 for specified purposes, 31.1.2018 for E.W.S. for specified purposes, 16.4.2018 for E.W.S. in so far as not already in force, 28.6.2021 for N.I. in so far as not already in force) by [Criminal Finances Act 2017 \(c. 22\)](#), s. 58(5)(6), [Sch. 5 para. 64](#); S.I. 2018/78, reg. 5(3)(a)(i)(ii); S.I. 2021/724, reg. 4(i)
- F5** Words in s. 387(3)(b) substituted (26.10.2023 for specified purposes, 26.4.2024 for S. for specified purposes, 26.4.2024 for E.W.N.I. in so far as not already in force) by [Economic Crime and Corporate Transparency Act 2023 \(c. 56\)](#), s. 219(1)(2)(b), [Sch. 9 para. 8\(22\)](#); S.I. 2024/269, reg. 4(b)(i)(ii)
- F6** S. 387(4A) inserted (28.4.2008) by [Serious Crime Act 2007 \(c. 27\)](#), [ss. 86](#), 94(3); S.S.I. 2008/152, art. 2

Modifications etc. (not altering text)

- C1** S. 387(4) modified (1.4.2003) by [The Proceeds of Crime Act 2002 \(Investigations in different parts of the United Kingdom\) Order 2003 \(S.I. 2003/425\)](#), arts. 1, [16\(2\)](#)
- C2** S. 387(4) modified (1.4.2003) by [The Proceeds of Crime Act 2002 \(Investigations in different parts of the United Kingdom\) Order 2003 \(S.I. 2003/425\)](#), arts. 1, [6\(2\)](#), 16(2)

Commencement Information

- I1** S. 387 in force at 24.2.2003 by [S.I. 2003/120](#), art. 2, [Sch.](#) (with arts. 3, 4) (as amended (20.2.2003) by [S.I. 2003/333](#), art. 14)

388 Requirements where production order not available

- (1) This section is satisfied in relation to a search warrant if—
- (a) subsection (2) applies, and
- (b) either the first or the second set of conditions is complied with.
- (2) This subsection applies if there are reasonable grounds for suspecting that—

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- (a) in the case of a confiscation investigation, the person specified in the application for the warrant has benefited from his criminal conduct;
 - [^{F7}(b) in the case of a civil recovery investigation—
 - (i) the person specified in the application for the warrant holds recoverable property or associated property,
 - (ii) that person has, at any time, held property that was recoverable property or associated property at the time, or
 - (iii) the property specified in the application for the warrant is recoverable property or associated property;]
 - [^{F8}(ba) in the case of a detained cash investigation into the derivation of cash, the property specified in the application for the warrant, or a part of it, is recoverable property;
 - (bb) in the case of a detained cash investigation into the intended use of cash, the property specified in the application for the warrant, or a part of it, is intended by any person to be used in unlawful conduct;]
 - [^{F9}(bc) in the case of a detained property investigation into the derivation of property, the property specified in the application for the warrant, or a part of it, is recoverable property;
 - (bd) in the case of a detained property investigation into the intended use of property, the property specified in the application for the warrant, or a part of it, is intended by any person to be used in unlawful conduct;
 - (be) in the case of a frozen funds investigation into the derivation of money held in an account in relation to which an account freezing order made under section 303Z3 has effect (a “frozen account”), the property specified in the application for the warrant, or a part of it, is recoverable property;
 - (bf) in the case of a frozen funds investigation into the intended use of money held in a frozen account, the property specified in the application for the warrant, or a part of it, is intended by any person to be used in unlawful conduct;]
 - [^{F10}(bg) in the case of a cryptoasset investigation into the derivation of cryptoassets, the cryptoassets specified in the application for the warrant (or, if the cryptoassets have been converted into money in accordance with Chapter 3F of Part 5, the converted cryptoassets) are recoverable property;
 - (bh) in the case of a cryptoasset investigation into the intended use of cryptoassets, the cryptoassets specified in the application for the warrant (or, if the cryptoassets have been converted into money in accordance with Chapter 3F of Part 5, the converted cryptoassets) are intended by any person to be used in unlawful conduct.]
 - (c) in the case of a money laundering investigation, the person specified in the application for the warrant has committed a money laundering offence.
- (3) The first set of conditions is that there are reasonable grounds for believing that—
- (a) any material on the premises specified in the application for the warrant is likely to be of substantial value (whether or not by itself) to the investigation for the purposes of which the warrant is sought,
 - (b) it is in the public interest for the material to be obtained, having regard to the benefit likely to accrue to the investigation if the material is obtained, and
 - (c) it would not be appropriate to make a production order for any one or more of the reasons in subsection (4).
- (4) The reasons are—

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- (a) that it is not practicable to communicate with any person against whom the production order could be made;
 - (b) that it is not practicable to communicate with any person who would be required to comply with an order to grant access to the material or to grant entry to the premises on which the material is situated;
 - (c) that the investigation might be seriously prejudiced unless a proper person is able to secure immediate access to the material.
- (5) The second set of conditions is that—
- (a) there are reasonable grounds for believing that there is material on the premises specified in the application for the warrant and that the material falls within subsection (6), (7) [^{F11}, (7A), (7B) [^{F12}, (7C), (7D), (7E), (7F)]] or (8),
 - (b) there are reasonable grounds for believing that it is in the public interest for the material to be obtained, having regard to the benefit likely to accrue to the investigation if the material is obtained, and
 - (c) any one or more of the requirements in subsection (9) is met.
- (6) In the case of a confiscation investigation, material falls within this subsection if it cannot be identified at the time of the application but it—
- (a) relates to the person specified in the application, the question whether he has benefited from his criminal conduct [^{F13} or of realisable property available for satisfying a confiscation order made in respect of him] or any question as to the extent or whereabouts of his benefit from his criminal conduct, and
 - (b) is likely to be of substantial value (whether or not by itself) to the investigation for the purposes of which the warrant is sought.
- (7) In the case of a civil recovery investigation, material falls within this subsection if it cannot be identified at the time of the application but it—
- [^{F14}(a) relates to the person or property specified in the application or to any of the questions listed in subsection (7ZA), and]
 - (b) is likely to be of substantial value (whether or not by itself) to the investigation for the purposes of which the warrant is sought.
- [^{F15}(7ZA) Those questions are—
- (a) where a person is specified in the application, any question as to—
 - (i) what property the person holds or has held,
 - (ii) whether the property is or has been recoverable property or associated property, or
 - (iii) the nature, extent or whereabouts of the property, and
 - (b) where property is specified in the application, any question as to—
 - (i) whether the property is or has been recoverable property or associated property,
 - (ii) who holds it or has held it,
 - (iii) whether a person who appears to hold or to have held it holds or has held other property,
 - (iv) whether the other property is or has been recoverable property or associated property, or
 - (v) the nature, extent or whereabouts of the specified property or the other property.]

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- [^{F16}(7A) In the case of a detained cash investigation into the derivation of cash, material falls within this subsection if it cannot be identified at the time of the application but it—
- (a) relates to the property specified in the application, the question whether the property, or a part of it, is recoverable property or any other question as to its derivation, and
 - (b) is likely to be of substantial value (whether or not by itself) to the investigation for the purposes of which the warrant is sought.
- (7B) In the case of a detained cash investigation into the intended use of cash, material falls within this subsection if it cannot be identified at the time of the application but it—
- (a) relates to the property specified in the application or the question whether the property, or a part of it, is intended by any person to be used in unlawful conduct, and
 - (b) is likely to be of substantial value (whether or not by itself) to the investigation for the purposes of which the warrant is sought.]

[^{F17}(7C) In the case of a detained property investigation into the derivation of property, material falls within this subsection if it cannot be identified at the time of the application but it—

 - (a) relates to the property specified in the application, the question whether the property, or a part of it, is recoverable property or any other question as to its derivation, and
 - (b) is likely to be of substantial value (whether or not by itself) to the investigation for the purposes of which the warrant is sought.

(7D) In the case of a detained property investigation into the intended use of property, material falls within this subsection if it cannot be identified at the time of the application but it—

 - (a) relates to the property specified in the application or the question whether the property, or a part of it, is intended by any person to be used in unlawful conduct, and
 - (b) is likely to be of substantial value (whether or not by itself) to the investigation for the purposes of which the warrant is sought.

(7E) In the case of a frozen funds investigation into the derivation of money held in a frozen account, material falls within this subsection if it cannot be identified at the time of the application but it—

 - (a) relates to the property specified in the application, the question whether the property, or a part of it, is recoverable property or any other question as to its derivation, and
 - (b) is likely to be of substantial value (whether or not by itself) to the investigation for the purposes of which the warrant is sought.

(7F) In the case of a frozen funds investigation into the intended use of money held in a frozen account, material falls within this subsection if it cannot be identified at the time of the application but it—

 - (a) relates to the property specified in the application or the question whether the property, or a part of it, is intended by any person to be used in unlawful conduct, and
 - (b) is likely to be of substantial value (whether or not by itself) to the investigation for the purposes of which the warrant is sought.]

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- (8) In the case of a money laundering investigation, material falls within this subsection if it cannot be identified at the time of the application but it—
- (a) relates to the person specified in the application or the question whether he has committed a money laundering offence, and
 - (b) is likely to be of substantial value (whether or not by itself) to the investigation for the purposes of which the warrant is sought.
- (9) The requirements are—
- (a) that it is not practicable to communicate with any person entitled to grant entry to the premises;
 - (b) that entry to the premises will not be granted unless a warrant is produced;
 - (c) that the investigation might be seriously prejudiced unless a proper person arriving at the premises is able to secure immediate entry to them.

Textual Amendments

- F7** S. 388(2)(b) substituted (1.6.2015) by [Crime and Courts Act 2013 \(c. 22\)](#), s. 61(2), [Sch. 19 para. 17\(2\)](#); [S.I. 2015/964](#), art. 2(d) (with art. 3)
- F8** S. 388(2)(ba)(bb) inserted (18.6.2009) by [Serious Crime Act 2007 \(c. 27\)](#), [ss. 76\(5\)](#), 94(3); [S.S.I. 2009/224](#), art. 2(1)(b)
- F9** S. 388(2)(bc)-(bf) inserted (27.4.2017 for specified purposes, 31.1.2018 for E.W.S. for specified purposes, 16.4.2018 for E.W.S. in so far as not already in force, 28.6.2021 for N.I. in so far as not already in force) by [Criminal Finances Act 2017 \(c. 22\)](#), s. 58(5)(6), [Sch. 5 para. 65\(2\)](#); [S.I. 2018/78](#), reg. 5(3)(a)(i)(ii); [S.I. 2021/724](#), reg. 4(i)
- F10** S. 388(2)(bg)(bh) inserted (26.10.2023 for specified purposes, 26.4.2024 for S. for specified purposes, 26.4.2024 for E.W.N.I. in so far as not already in force) by [Economic Crime and Corporate Transparency Act 2023 \(c. 56\)](#), s. 219(1)(2)(b), [Sch. 9 para. 8\(23\)](#); [S.I. 2024/269](#), reg. 4(b)(i)(ii)
- F11** Words in s. 388(5)(a) inserted (18.6.2009) by [Serious Crime Act 2007 \(c. 27\)](#), s. 94(3), [Sch. 10 para. 18](#); [S.S.I. 2009/224](#), art. 2(1)(d)(ii)
- F12** Words in s. 388(5)(a) inserted (27.4.2017 for specified purposes, 31.1.2018 for E.W.S. for specified purposes, 16.4.2018 for E.W.S. in so far as not already in force, 28.6.2021 for N.I. in so far as not already in force) by [Criminal Finances Act 2017 \(c. 22\)](#), s. 58(5)(6), [Sch. 5 para. 65\(3\)](#); [S.I. 2018/78](#), reg. 5(3)(a)(i)(ii); [S.I. 2021/724](#), reg. 4(i)
- F13** Words in s. 388(6)(a) inserted (1.3.2016) by [Serious Crime Act 2015 \(c. 9\)](#), [ss. 38\(3\)](#), 88(2)(b); [S.S.I. 2016/11](#), reg. 2(h)
- F14** S. 388(7)(a) substituted (1.6.2015) by [Crime and Courts Act 2013 \(c. 22\)](#), s. 61(2), [Sch. 19 para. 17\(3\)](#); [S.I. 2015/964](#), art. 2(d) (with art. 3)
- F15** S. 388(7ZA) inserted (1.6.2015) by [Crime and Courts Act 2013 \(c. 22\)](#), s. 61(2), [Sch. 19 para. 17\(4\)](#); [S.I. 2015/964](#), art. 2(d) (with art. 3)
- F16** S. 388(7A)(7B) inserted (18.6.2009) by [Serious Crime Act 2007 \(c. 27\)](#), [ss. 76\(6\)](#), 94(3); [S.S.I. 2009/224](#), art. 2(1)(b)
- F17** S. 388(7C)-(7F) inserted (27.4.2017 for specified purposes, 31.1.2018 for E.W.S. for specified purposes, 16.4.2018 for E.W.S. in so far as not already in force, 28.6.2021 for N.I. in so far as not already in force) by [Criminal Finances Act 2017 \(c. 22\)](#), s. 58(5)(6), [Sch. 5 para. 65\(4\)](#); [S.I. 2018/78](#), reg. 5(3)(a)(i)(ii); [S.I. 2021/724](#), reg. 4(i)

Commencement Information

- I2** S. 388 in force at 24.2.2003 by [S.I. 2003/120](#), art. 2, [Sch.](#) (with arts. 3, 4) (as amended (20.2.2003) by [S.I. 2003/333](#), art. 14)

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389 Further provisions: general

A search warrant does not confer the right to seize any items subject to legal privilege.

Modifications etc. (not altering text)

- C3** S. 389 applied (1.4.2003) by [The Proceeds of Crime Act 2002 \(Investigations in different parts of the United Kingdom\) Order 2003 \(S.I. 2003/425\)](#), arts. 1, **25(5)**, 26(5)
- C4** S. 389 applied (1.4.2003) by [The Proceeds of Crime Act 2002 \(Investigations in different parts of the United Kingdom\) Order 2003 \(S.I. 2003/425\)](#), arts. 1, **26(5)**
- C5** S. 389 excluded (1.4.2003) by [The Proceeds of Crime Act 2002 \(Investigations in different parts of the United Kingdom\) Order 2003 \(S.I. 2003/425\)](#), arts. 1, **16(3)**
- C6** S. 389 excluded (1.4.2003) by [The Proceeds of Crime Act 2002 \(Investigations in different parts of the United Kingdom\) Order 2003 \(S.I. 2003/425\)](#), arts. 1, **6(3)**, 16(3)

Commencement Information

- I3** S. 389 in force at 24.2.2003 by [S.I. 2003/120](#), art. 2, **Sch.** (with arts. 3, 4) (as amended (20.2.2003) by [S.I. 2003/333](#), art. 14)

390 Further provisions: confiscation, civil recovery [^{F18}, detained cash][^{F19}, detained property, frozen funds][^{F20}, money laundering and cryptoasset]

- (1) This section applies to search warrants sought for the purposes of confiscation investigations, civil recovery investigations [^{F21}, detained cash investigations][^{F22}, detained property investigations, frozen funds investigations][^{F23}, money laundering investigations or cryptoasset investigations].
- (2) A warrant continues in force until the end of the period of one month starting with the day on which it is issued.
- (3) A warrant authorises the person executing it to require any information which is held in a computer and is accessible from the premises specified in the application for the warrant, and which the proper person believes relates to any matter relevant to the investigation, to be produced in a form—
 - (a) in which it can be taken away, and
 - (b) in which it is visible and legible.
- (4) Copies may be taken of any material seized under a warrant.
- (5) A warrant issued in relation to a civil recovery investigation [^{F24}, a detained cash investigation, a detained property investigation [^{F25}, a frozen funds investigation or a cryptoasset investigation]] may be issued subject to conditions.
- (6) A warrant issued in relation to a civil recovery investigation [^{F26}, a detained cash investigation, a detained property investigation [^{F27}, a frozen funds investigation or a cryptoasset investigation]] may include provision authorising the person executing it to do other things which—
 - (a) are specified in the warrant, and
 - (b) need to be done in order to give effect to it.
- (7) Material seized under a warrant issued in relation to a civil recovery investigation [^{F28}, a detained cash investigation, a detained property investigation [^{F29}, a frozen funds investigation or a cryptoasset investigation]] may be retained for so long as it is

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necessary to retain it (as opposed to copies of it) in connection with the investigation for the purposes of which the warrant was issued.

- (8) But if the Scottish Ministers have reasonable grounds for believing that—
- (a) the material may need to be produced for the purposes of any legal proceedings, and
 - (b) it might otherwise be unavailable for those purposes,
- it may be retained until the proceedings are concluded.

Textual Amendments

- F18** Words in s. 390 heading inserted (18.6.2009) by [Serious Crime Act 2007 \(c. 27\)](#), s. 94(3), **Sch. 10 para. 19(2)**; [S.S.I. 2009/224](#), art. 2(1)(d)(ii)
- F19** Words in s. 390 heading inserted (27.4.2017 for specified purposes, 31.1.2018 for E.W.S. for specified purposes, 16.4.2018 for E.W.S. in so far as not already in force, 28.6.2021 for N.I. in so far as not already in force) by [Criminal Finances Act 2017 \(c. 22\)](#), s. 58(5)(6), **Sch. 5 para. 66(2)**; [S.I. 2018/78](#), reg. 5(3)(a)(i)(ii); [S.I. 2021/724](#), reg. 4(i)
- F20** Words in s. 390 heading substituted (26.10.2023 for specified purposes, 26.4.2024 for S. for specified purposes, 26.4.2024 for E.W.N.I. in so far as not already in force) by [Economic Crime and Corporate Transparency Act 2023 \(c. 56\)](#), s. 219(1)(2)(b), **Sch. 9 para. 8(24)(a)**; [S.I. 2024/269](#), reg. 4(b)(i)(ii)
- F21** Words in s. 390(1) inserted (18.6.2009) by [Serious Crime Act 2007 \(c. 27\)](#), s. 94(3), **Sch. 10 para. 19(3)**; [S.S.I. 2009/224](#), art. 2(1)(d)(ii)
- F22** Words in s. 390(1) inserted (27.4.2017 for specified purposes, 31.1.2018 for E.W.S. for specified purposes, 16.4.2018 for E.W.S. in so far as not already in force, 28.6.2021 for N.I. in so far as not already in force) by [Criminal Finances Act 2017 \(c. 22\)](#), s. 58(5)(6), **Sch. 5 para. 66(3)**; [S.I. 2018/78](#), reg. 5(3)(a)(i)(ii); [S.I. 2021/724](#), reg. 4(i)
- F23** Words in s. 390(1) substituted (26.10.2023 for specified purposes, 26.4.2024 for S. for specified purposes, 26.4.2024 for E.W.N.I. in so far as not already in force) by [Economic Crime and Corporate Transparency Act 2023 \(c. 56\)](#), s. 219(1)(2)(b), **Sch. 9 para. 8(24)(b)**; [S.I. 2024/269](#), reg. 4(b)(i)(ii)
- F24** Words in s. 390(5) substituted (27.4.2017 for specified purposes, 31.1.2018 for E.W.S. for specified purposes, 16.4.2018 for E.W.S. in so far as not already in force, 28.6.2021 for N.I. in so far as not already in force) by [Criminal Finances Act 2017 \(c. 22\)](#), s. 58(5)(6), **Sch. 5 para. 66(4)**; [S.I. 2018/78](#), reg. 5(3)(a)(i)(ii); [S.I. 2021/724](#), reg. 4(i)
- F25** Words in s. 390(5) substituted (26.10.2023 for specified purposes, 26.4.2024 for S. for specified purposes, 26.4.2024 for E.W.N.I. in so far as not already in force) by [Economic Crime and Corporate Transparency Act 2023 \(c. 56\)](#), s. 219(1)(2)(b), **Sch. 9 para. 8(24)(c)**; [S.I. 2024/269](#), reg. 4(b)(i)(ii)
- F26** Words in s. 390(6) substituted (27.4.2017 for specified purposes, 31.1.2018 for E.W.S. for specified purposes, 16.4.2018 for E.W.S. in so far as not already in force, 28.6.2021 for N.I. in so far as not already in force) by [Criminal Finances Act 2017 \(c. 22\)](#), s. 58(5)(6), **Sch. 5 para. 66(4)**; [S.I. 2018/78](#), reg. 5(3)(a)(i)(ii); [S.I. 2021/724](#), reg. 4(i)
- F27** Words in s. 390(6) substituted (26.10.2023 for specified purposes, 26.4.2024 for S. for specified purposes, 26.4.2024 for E.W.N.I. in so far as not already in force) by [Economic Crime and Corporate Transparency Act 2023 \(c. 56\)](#), s. 219(1)(2)(b), **Sch. 9 para. 8(24)(c)**; [S.I. 2024/269](#), reg. 4(b)(i)(ii)
- F28** Words in s. 390(7) substituted (27.4.2017 for specified purposes, 31.1.2018 for E.W.S. for specified purposes, 16.4.2018 for E.W.S. in so far as not already in force, 28.6.2021 for N.I. in so far as not already in force) by [Criminal Finances Act 2017 \(c. 22\)](#), s. 58(5)(6), **Sch. 5 para. 66(4)**; [S.I. 2018/78](#), reg. 5(3)(a)(i)(ii); [S.I. 2021/724](#), reg. 4(i)
- F29** Words in s. 390(7) substituted (26.10.2023 for specified purposes, 26.4.2024 for S. for specified purposes, 26.4.2024 for E.W.N.I. in so far as not already in force) by [Economic Crime and Corporate Transparency Act 2023 \(c. 56\)](#), s. 219(1)(2)(b), **Sch. 9 para. 8(24)(c)**; [S.I. 2024/269](#), reg. 4(b)(i)(ii)

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Modifications etc. (not altering text)

- C7** S. 390(3) excluded (1.4.2003) by [The Proceeds of Crime Act 2002 \(Investigations in different parts of the United Kingdom\) Order 2003 \(S.I. 2003/425\)](#), arts. 1, **6(5)**, 16(5)
- C8** S. 390(3) applied (1.4.2003) by [The Proceeds of Crime Act 2002 \(Investigations in different parts of the United Kingdom\) Order 2003 \(S.I. 2003/425\)](#), arts. 1, **25(8)**, 26(8)
- C9** S. 390(4) excluded (1.4.2003) by [The Proceeds of Crime Act 2002 \(Investigations in different parts of the United Kingdom\) Order 2003 \(S.I. 2003/425\)](#), arts. 1, **25(10)**, 26(10)
- C10** S. 390(4) modified (1.4.2003) by [The Proceeds of Crime Act 2002 \(Investigations in different parts of the United Kingdom\) Order 2003 \(S.I. 2003/425\)](#), arts. 1, **6(7)**, 16(7)

Commencement Information

- I4** S. 390 in force at 24.2.2003 by [S.I. 2003/120](#), art. 2, **Sch.** (with arts. 3, 4) (as amended (20.2.2003) by [S.I. 2003/333](#), art. 14)

Changes to legislation:

Proceeds of Crime Act 2002, Cross Heading: Search warrants is up to date with all changes known to be in force on or before 10 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 13(5)(a)(iia) inserted by [2015 c. 30 Sch. 5 para. 15\(3\)\(d\)](#)
- s. 323(1)(hc) inserted by [2023 c. 20 Sch. para. 45\(2\)](#)
- s. 323(4)(ec) inserted by [2023 c. 20 Sch. para. 45\(3\)](#)
- s. 323(5)(ec) inserted by [2023 c. 20 Sch. para. 45\(4\)](#)