



Proceeds of Crime Act 2002

2002 CHAPTER 29

PART 8

INVESTIGATIONS

CHAPTER 2

ENGLAND AND WALES AND NORTHERN IRELAND

Search and seizure warrants

355 Further provisions: confiscation [^{F1}, money laundering, detained cash, detained property [^{F2} and frozen funds][^{F2}, frozen funds and cryptoasset] investigations]

- (1) This section applies to—
 - (a) search and seizure warrants sought for the purposes of a confiscation investigation [^{F3}, a money laundering investigation [^{F4}, a detained cash investigation, a detained property investigation [^{F5} or a frozen funds investigation][^{F5}, a frozen funds investigation or a cryptoasset investigation]]], and
 - (b) powers of seizure under them.
- (2) In relation to such warrants and powers, the Secretary of State may make an order which applies [^{F6}, in relation to England and Wales,] the provisions to which [^{F7}subsection (3) applies] subject to any specified modifications.
- (3) This subsection applies to the following provisions of the Police and Criminal Evidence Act 1984 (c. 60)—
 - (a) section 15 (search warrants -safeguards);
 - (b) section 16 (execution of warrants);
 - (c) section 21 (access and copying);
 - (d) section 22 (retention).

Changes to legislation: *Proceeds of Crime Act 2002, Section 355 is up to date with all changes known to be in force on or before 16 April 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. (See end of Document for details) View outstanding changes*

[^{F8}(3A) In relation to such warrants and powers, the Department of Justice in Northern Ireland may make an order which applies, in relation to Northern Ireland, the provisions to which subsection (4) applies subject to any specified modifications.]

- (4) This subsection applies to the following provisions of the Police and Criminal Evidence (Northern Ireland) Order 1989 (S.I. 1989/1341 (N.I. 12))—
- (a) Article 17 (search warrants -safeguards);
 - (b) Article 18 (execution of warrants);
 - (c) Article 23 (access and copying);
 - (d) Article 24 (retention).

Textual Amendments

- F1** Words in s. 355 heading substituted (27.4.2017 for specified purposes, 30.1.2018 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. 49\(2\)](#); S.I. 2018/78, reg. 2(j); S.I. 2021/724, reg. 4(i)
- F2** Words in s. 355 heading substituted (26.10.2023 for specified purposes) by [Economic Crime and Corporate Transparency Act 2023 \(c. 56\)](#), s. 219(1)(2)(b), [Sch. 9 para. 8\(11\)\(a\)](#)
- F3** Words in s. 355(1)(a) substituted (22.11.2014 for specified purposes, 1.6.2015 for E.W.S. in so far as not already in force, 1.3.2016 in so far as not already in force) by [Policing and Crime Act 2009 \(c. 26\)](#), [ss. 66\(6\)](#), 116(1); S.I. 2014/3101, art. 3; S.I. 2015/983, art. 2(2)(a) (with art. 5); S.I. 2016/147, art. 3(f) (with art. 5)
- F4** Words in s. 355(1)(a) substituted (27.4.2017 for specified purposes, 30.1.2018 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. 49\(3\)](#); S.I. 2018/78, reg. 2(j); S.I. 2021/724, reg. 4(i)
- F5** Words in s. 355(1)(a) substituted (26.10.2023 for specified purposes) by [Economic Crime and Corporate Transparency Act 2023 \(c. 56\)](#), s. 219(1)(2)(b), [Sch. 9 para. 8\(11\)\(b\)](#)
- F6** Words in s. 355(2) inserted (12.4.2010) by [The Northern Ireland Act 1998 \(Devolution of Policing and Justice Functions\) Order 2010 \(S.I. 2010/976\)](#), art. 1(2), [Sch. 14 para. 66\(2\)\(a\)](#) (with arts. 28-31)
- F7** Words in s. 355(2) substituted (12.4.2010) by [The Northern Ireland Act 1998 \(Devolution of Policing and Justice Functions\) Order 2010 \(S.I. 2010/976\)](#), art. 1(2), [Sch. 14 para. 66\(2\)\(b\)](#) (with arts. 28-31)
- F8** S. 355(3A) inserted (12.4.2010) by [The Northern Ireland Act 1998 \(Devolution of Policing and Justice Functions\) Order 2010 \(S.I. 2010/976\)](#), art. 1(2), [Sch. 14 para. 66\(3\)](#) (with arts. 28-31)

Commencement Information

- I1** S. 355 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:

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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\(4\)](#)