



# Serious Crime Act 2007

## CHAPTER 27

### SERIOUS CRIME ACT 2007

#### PART 1

#### SERIOUS CRIME PREVENTION ORDERS

##### *General*

- 1 Serious crime prevention orders
- 2 Involvement in serious crime: England and Wales orders
- 3 Involvement in serious crime: Northern Ireland orders
- 4 Involvement in serious crime: supplementary
- 5 Type of provision that may be made by orders

##### *General safeguards in relation to orders*

- 6 Any individual must be 18 or over
- 7 Other exceptions
- 8 Limited class of applicants for making of orders
- 9 Right of third parties to make representations
- 10 Notice requirements in relation to orders

##### *Information safeguards*

- 11 Restrictions on oral answers
- 12 Restrictions for legal professional privilege
- 13 Restrictions on excluded material and banking information
- 14 Restrictions relating to other enactments
- 15 Restrictions on use of information obtained

*Status: This is the original version (as it was originally enacted).*

---

*Duration, variation and discharge of orders*

- 16 Duration of orders
- 17 Variation of orders
- 18 Discharge of orders

*Extension of jurisdiction to Crown Court*

- 19 Orders by Crown Court on conviction
- 20 Powers of Crown Court to vary orders on conviction
- 21 Powers of Crown Court to vary orders on breach
- 22 Inter-relationship between different types of orders

*Appeals*

- 23 Additional right of appeal from High Court
- 24 Appeals from Crown Court

*Enforcement*

- 25 Offence of failing to comply with order
- 26 Powers of forfeiture in respect of offence
- 27 Powers to wind up companies etc: England and Wales and Scotland
- 28 Powers to wind up companies etc: Northern Ireland
- 29 Powers to wind up: supplementary

*Particular types of persons*

- 30 Bodies corporate including limited liability partnerships
- 31 Other partnerships
- 32 Unincorporated associations
- 33 Overseas bodies
- 34 Providers of information society services

*Supplementary*

- 35 Proceedings in the High Court
- 36 Proceedings in the Crown Court
- 37 Functions of applicant authorities
- 38 Disclosure of information in accordance with orders
- 39 Compliance with orders: authorised monitors
- 40 Costs in relation to authorised monitors
- 41 Powers of law enforcement officers to retain documents

*Interpretation: Part 1*

- 42 Interpretation: Part 1
- 43 Index of defined expressions: Part 1

**PART 2**

ENCOURAGING OR ASSISTING CRIME

*Inchoate offences*

- 44 Intentionally encouraging or assisting an offence
- 45 Encouraging or assisting an offence believing it will be committed

- 46 Encouraging or assisting offences believing one or more will be committed
- 47 Proving an offence under this Part
- 48 Proving an offence under section 46
- 49 Supplemental provisions

*Reasonableness defence*

- 50 Defence of acting reasonably

*Limitation on liability*

- 51 Protective offences: victims not liable

*Jurisdiction and procedure*

- 52 Jurisdiction
- 53 Prosecution of offences triable by reason of Schedule 4
- 54 Institution of proceedings etc. for an offence under this Part
- 55 Mode of trial
- 56 Persons who may be perpetrators or encouragers etc.
- 57 Alternative verdicts and guilty pleas
- 58 Penalties

*Consequential alterations of the law*

- 59 Abolition of common law replaced by this Part
- 60 Amendments relating to service law
- 61 Repeal of offence of enabling unauthorised access to computer material
- 62 No individual liability in respect of corporate manslaughter
- 63 Consequential amendments: Part 2

*Interpretation: Part 2*

- 64 Encouraging or assisting the commission of an offence
- 65 Being capable of encouraging or assisting
- 66 Indirectly encouraging or assisting
- 67 Course of conduct

**PART 3**

OTHER MEASURES TO PREVENT OR DISRUPT SERIOUS AND OTHER CRIME

**CHAPTER 1**

PREVENTION OF FRAUD

*Sharing information with anti-fraud organisations*

- 68 Disclosure of information to prevent fraud
- 69 Offence for certain further disclosures of information
- 70 Penalty and prosecution for offence under section 69
- 71 Code of practice for disclosure of information to prevent fraud
- 72 Data protection rules

*Data matching*

- 73 Data matching

**CHAPTER 2**

## PROCEEDS OF CRIME

*Assets Recovery Agency*

- 74 Abolition of Assets Recovery Agency and redistribution of functions etc.

*Detained cash investigations: use of production orders and warrants*

- 75 Use of production orders for detained cash investigations  
76 Use of search warrants etc. for detained cash investigations  
77 Further provision about detained cash investigations

*Extension of powers of accredited financial investigators*

- 78 Powers to seize property to which restraint orders apply  
79 Powers to recover cash  
80 Powers in relation to certain investigations  
81 Supplementary provision in relation to new powers

*Miscellaneous*

- 82 Powers of management receivers and enforcement receivers  
83 Civil recovery management receivers  
84 Powers for prosecutors to appear in cash recovery proceedings  
85 Disclosure of information by Revenue and Customs  
86 Use of force in executing search warrants: Scotland

**CHAPTER 3**

## OTHER MEASURES

- 87 Incidents involving serious violence: powers to stop and search  
88 Extension of investigatory powers of Revenue and Customs

**PART 4**

## GENERAL AND FINAL PROVISIONS

*General*

- 89 Orders  
90 Supplementary, incidental and consequential provision  
91 Transitional and transitory provisions and savings  
92 Repeals and revocations

*Final*

- 93 Extent  
94 Commencement  
95 Short title

## SCHEDULES

### SCHEDULE 1 — Serious offences

#### Part 1 — SERIOUS OFFENCES IN ENGLAND AND WALES

- 1 Drug trafficking
- 2 People trafficking
- 3 Arms trafficking
- 4 Prostitution and child sex
- 5 Armed robbery etc.
- 6 Money laundering
- 7 Fraud
- 8 Offences in relation to public revenue
- 9 Corruption and bribery
- 10 Counterfeiting
- 11 Blackmail
- 12 Intellectual property
- 13 Environment
- 14 Inchoate offences
- 15 Earlier offences
- 16 Scope of offences

#### Part 2 — SERIOUS OFFENCES IN NORTHERN IRELAND

- 17 Drug trafficking
- 18 People trafficking
- 19 Arms trafficking
- 20 Prostitution and child sex
- 21 Armed robbery etc.
- 22 Money laundering
- 23 Fraud
- 24 Offences in relation to public revenue
- 25 Corruption and bribery
- 26 Counterfeiting
- 27 Blackmail
- 28 Intellectual property
- 29 Environment
- 30 Inchoate offences
- 31 Earlier offences
- 32 Scope of offences

### SCHEDULE 2 — Functions of applicant authorities under Part 1

- 1 Director of Public Prosecutions
- 2 (1) The Director may, to such extent as he may...
- 3 The functions of the Director under this Part are exercisable...
- 4 (1) The Code for Crown Prosecutors issued under section 10...
- 5 Section 14 of that Act (power of Attorney General to...
- 6 Director of Revenue and Customs Prosecutions
- 7 (1) The Director may, to such extent as he may...
- 8 The functions of the Director under this Part are exercisable...
- 9 The Director must have regard to the Code for Crown...
- 10 Section 21 of the Commissioners for Revenue and Customs Act...
- 11 Section 41(1) of the Act of 2005 (disclosure of information...
- 12 Director of Serious Fraud Office
- 13 (1) The Director may, to such extent as he may...

- 14 The functions of the Director under this Part are exercisable...
- 15 Paragraph 8 of Schedule 1 to the Criminal Justice Act...
- 16 Director of Public Prosecutions for Northern Ireland
- 17 References in this Part to the Director are to be...
- 18 (1) The Code for Public Prosecutors issued under section 37...
- 19 Sections 75(1) and (2) and 76(1) of, and Schedule 9...
- 20 Section 1 of the Costs in Criminal Cases Act (Northern...
- 21 Interpretation

### SCHEDULE 3 — Listed Offences

#### Part 1 — OFFENCES COMMON TO ENGLAND AND WALES AND NORTHERN IRELAND

- 1 Offences against the Person Act 1861 (c. 100)
- 2 An offence under section 21 of that Act (attempting to...
- 3 An offence under section 22 of that Act (using chloroform...
- 4 But references in paragraphs 2 and 3 to any other...
- 5 Aliens Restriction (Amendment) Act 1919 (c. 92)
- 6 An offence under section 3(2) of that Act (promoting or...
- 7 Official Secrets Act 1920 (c. 75)
- 8 Incitement to Disaffection Act 1934 (c. 56)
- 9 Misuse of Drugs Act 1971 (c. 38)
- 10 An offence under section 20 of that Act (assisting or...
- 11 Immigration Act 1971 (c. 77)
- 12 An offence under section 25B of that Act (assisting entry...
- 13 Representation of the People Act 1983 (c. 2)
- 14 Computer Misuse Act 1990 (c. 18)
- 15 An offence under section 3A(2) of that Act (supply or...
- 16 An offence under section 3A(3) of that Act (obtaining an...
- 17 Criminal Justice Act 1993 (c. 36)
- 18 Reserve Forces Act 1996 (c. 14)
- 19 Landmines Act 1998 (c. 33)
- 20 Terrorism Act 2006 (c. 11)
- 21 An offence under section 2(1) of that Act (disseminating terroristist...
- 22 An offence under section 5 of that Act (engaging in...
- 23 An offence under section 6(1) of that Act (provision of...
- 24 An offence under section 6(2) of that Act as a...

#### Part 2 — OFFENCES UNDER PARTICULAR ENACTMENTS: ENGLAND AND WALES

- 25 Public Meeting Act 1908 (c. 66)
- 26 Perjury Act 1911 (c. 6)
- 27 Prison Act 1952 (c. 52)
- 28 Criminal Law Act 1967 (c. 58)
- 29 An offence under section 5(1) of that Act (accepting or...
- 30 Greater London Council (General Powers) Act 1973 (c. xxx)
- 31 Greater London Council (General Powers) Act 1974 (c. xxiv)
- 32 Criminal Law Act 1977 (c. 45)
- 33 Criminal Attempts Act 1981 (c. 47)
- 34 Public Order Act 1986 (c. 64)
- 35 An offence under section 13(9) of that Act (inciting commission...
- 36 An offence under section 14(6) of that Act (inciting commission...
- 37 An offence under section 14B(3) of that Act (inciting commission...
- 38 Terrorism Act 2000 (c. 11)

#### Part 3 — OTHER OFFENCES: ENGLAND AND WALES

- 39 An offence of conspiracy falling within section 5(2) or (3)...
- 40 (1) An attempt under a special statutory provision.  
Part 4 — OFFENCES UNDER PARTICULAR ENACTMENTS: NORTHERN IRELAND
- 41 Prison Act (Northern Ireland) 1953 (c. 18)
- 42 An offence under section 30(a) of that Act (rescuing or...
- 43 Criminal Law Act (Northern Ireland) 1967 (c. 18)
- 44 Perjury (Northern Ireland) Order 1979 (S.I. 1979/1714 (N.I.19))
- 45 Criminal Attempts and Conspiracy (Northern Ireland) Order 1983 (S.I. 1983/1120 (N.I.13))
- 46 An offence under Article 9(1) of that Order (conspiracy).
- 47 Public Processions (Northern Ireland) Act 1998 (c. 2)
- 48 An offence under section 9A(8) of that Act (inciting commission...
- 49 Terrorism Act 2000 (c. 11)  
Part 5 — OTHER OFFENCES: NORTHERN IRELAND
- 50 An offence of conspiracy falling within Article 13(2) or (3)...

SCHEDULE 4 — Extra-territoriality

- 1 (1) This paragraph applies if— (a) any relevant behaviour of...
- 2 (1) This paragraph applies if— (a) paragraph 1 does not...
- 3 (1) This paragraph applies if— (a) any relevant behaviour of...
- 4 In relation to an offence under section 46, a reference...

SCHEDULE 5 — Amendments relating to service law

- 1 Criminal Justice Act 1982 (c. 48)
- 2 Sexual Offences (Amendment) Act 1992 (c. 34)
- 3 Powers of Criminal Courts (Sentencing) Act 2000 (c. 6)
- 4 Sexual Offences Act 2003 (c. 42)
- 5 Criminal Justice Act 2003 (c. 44)
- 6 Gambling Act 2005 (c. 19)
- 7 Armed Forces Act 2006 (c. 52)
- 8 In section 39 (attempts), in subsection (4)(b) for “inciting another...
- 9 For section 40 (incitement) substitute— Encouraging and assisting (1) A person subject to service law commits an offence...
- 10 Accordingly, in the heading immediately before section 39 for “incitement”...
- 11 For section 46 (inciting criminal conduct) substitute— Encouraging or assisting...
- 12 In section 48 (provision supplementary to sections 43 to 47),...
- 13 In Schedule 2 (list of serious offences)—

SCHEDULE 6 — Minor and consequential amendments: Part 2

Part 1 — REFERENCES TO COMMON LAW OFFENCE OF INCITEMENT

- 1 Section 30(4) of the Theft Act 1968 (c. 60) (restriction...
- 2 Section 1B(2) of the Biological Weapons Act 1974 (c. 6)...
- 3 Section 17(1) of the Industry Act 1975 (c. 68) (no...
- 4 Section 7(2)(ix) of the Sexual Offences (Amendment) Act 1976 (c....
- 5 In the Magistrates' Courts Act 1980 (c. 43)—
- 6 Article 8(1A) of the Criminal Justice (Northern Ireland) Order 1980...
- 7 In the Betting and Gaming Duties Act 1981 (c. 63)—...
- 8 In section 32(1) of the Criminal Justice Act 1982 (c....
- 9 Section 80(3)(c) of the Police and Criminal Evidence Act 1984...
- 10 Section 49(4) of the Airports Act 1986 (c. 31) (no...

- 11 Section 12(6)(a) of the Outer Space Act 1986 (c. 38)...
  - 12 Section 30(4) of the Gas Act 1986 (c. 44) (no...
  - 13 Section 7(1) of the Public Order Act 1986 (c. 64)...
  - 14 Section 2(3)(ba) of the Ministry of Defence Police Act 1987...
  - 15 In the Road Traffic Offenders Act 1988 (c. 53)—
  - 16 Paragraph 2(a) of Schedule 1 to the Football Spectators Act...
  - 17 Article 79(3)(c) of the Police and Criminal Evidence (Northern Ireland)...
  - 18 In the Aviation and Maritime Security Act 1990 (c. 31)—...
  - 19 In the Criminal Justice Act 1991 (c. 53)—
  - 20 In the Sexual Offences (Amendment) Act 1992 (c. 34)—
  - 21 In the Criminal Justice Act 1993 (c. 36)—
  - 22 Section 12(7) of the Finance Act 1994 (c. 9) (offences...
  - 23 Section 27 of the Antarctic Act 1994 (c. 15) (references...
  - 24 Section 9A(4) of the Criminal Justice and Public Order Act...
  - 25 Paragraph (b) of the definition of “specified offence” in section...
  - 26 Article 40(4) of the Airports (Northern Ireland) Order 1994 (S.I....
  - 27 Article 4(1A) and (7) of the Children’s Evidence (Northern Ireland)...
  - 28 Section 30A(2) of the Chemical Weapons Act 1996 (c. 6)...
  - 29 Section 29(6)(i) of the Criminal Procedure and Investigations Act 1996...
  - 30 In the Sexual Offences (Conspiracy and Incitement) Act 1996 (c....
  - 31 In the Proceeds of Crime (Northern Ireland) Order 1996 (S.I....
  - 32 In the Road Traffic Offenders (Northern Ireland) Order 1996 (S.I....
  - 33 In the Criminal Justice (Northern Ireland) Order 1996 (S.I. 1996/3160...
  - 34 Paragraph 8 of the Schedule to the Sexual Offences (Protected...
  - 35 Section 14(2)(d) of the Northern Ireland (Sentences) Act 1998 (c....
  - 36 Section 51C(3)(e) of the Crime and Disorder Act 1998 (c....
  - 37 Section 62(2) of the Youth Justice and Criminal Evidence Act...
  - 38 Article 3(2) of the Criminal Evidence (Northern Ireland) Order 1999...
  - 39 Section 147(2) of the Powers of Criminal Courts (Sentencing) Act...
  - 40 Paragraph 3(t)(i) of Schedule 4 to the Criminal Justice and...
  - 41 Section 34(1)(g) of the Criminal Justice and Police Act 2001...
  - 42 Sections 55(1)(b) and 62(1)(b) of the International Criminal Court Act...
  - 43 Section 53(2) of the Anti-terrorism, Crime and Security Act 2001...
  - 44 In the Proceeds of Crime Act 2002 (c. 29)—
  - 45 Section 4 of the Dealing in Cultural Objects (Offences) Act...
  - 46 Section 142(7)(a) of the Extradition Act 2003 (c. 41) (extradition...
  - 47 Paragraph 3(a) of Schedule 2 to the Sexual Offences Act...
  - 48 In the Criminal Justice Act 2003 (c. 44)—
  - 49 Paragraph 3(i)(i) of the Schedule to the Protection of Children...
  - 50 Section 14 of the Gangmasters (Licensing) Act 2004 (c. 11)...
  - 51 Section 76(3)(p) of the Serious Organised Crime and Police Act...
  - 52 In the Terrorism Act 2006 (c. 11)—
- Part 2 — OTHER MINOR AND CONSEQUENTIAL AMENDMENTS
- 53 Misuse of Drugs Act 1971 (c. 38)
  - 54 Criminal Law Act 1977 (c. 45)
  - 55 Magistrates’ Courts Act 1980 (c. 43)
  - 56 Magistrates’ Courts (Northern Ireland) Order 1981 (S.I. 1981/1675 (N.I.26))
  - 57 Criminal Attempts and Conspiracy (Northern Ireland) Order 1983 (S.I. 1983/1120 (N.I.13))
  - 58 Public Order Act 1986 (c. 64)



- 59 Computer Misuse Act 1990 (c. 18)
- 60 Sexual Offences (Conspiracy and Incitement) Act 1996 (c. 29)
- 61 International Criminal Court Act 2001 (c. 17)
- 62 Proceeds of Crime Act 2002 (c. 29)
- 63 Sexual Offences Act 2003 (c. 42)
- 64 Serious Organised Crime and Police Act 2005 (c. 15)

#### SCHEDULE 7 — Data matching

##### Part 1 — DATA MATCHING: ENGLAND

- 1 The Audit Commission Act 1998 (c. 18) is amended as...
- 2 After Part 2 insert— Part 2A Data matching Power to...
- 3 In section 52 (orders and regulations), after subsection (1) insert—...

##### Part 2 — DATA MATCHING: WALES

- 4 After Part 3 of the Public Audit (Wales) Act 2004...
- 5 (1) Paragraph 9 of Schedule 8 to the Government of...

##### Part 3 — DATA MATCHING: NORTHERN IRELAND

- 6 After Article 4 of the Audit and Accountability (Northern Ireland)...
- 7 In Article 6 of the Audit (Northern Ireland) Order 1987...

#### SCHEDULE 8 — Abolition of Assets Recovery Agency and its Director

##### Part 1 — ABOLITION OF CONFISCATION FUNCTIONS

- 1 The Proceeds of Crime Act 2002 (c. 29) is amended...
- 2 In section 6(3)(a) (making of confiscation orders in England and...
- 3 In section 11(7) (time for payment of order) omit paragraph...
- 4 In section 14(7)(b) (postponement of proceedings) omit “or the Director...
- 5 (1) Section 16 (statement of information) is amended as follows...
- 6 In section 17(1) (defendant’s response to statement of information) omit...
- 7 In section 18(6) (provision of information by defendant) omit “or...
- 8 In section 19(1)(c) (no order made: reconsideration of case) omit...
- 9 (1) Section 20 (no order made: reconsideration of benefit) is...
- 10 In section 21(1) (order made: reconsideration of benefit), in paragraphs...
- 11 In section 22(2) (order made: reconsideration of available amount)—
- 12 In section 23(1)(b) (inadequacy of available amount: variation of order)...
- 13 (1) Section 26 (information) is amended as follows.
- 14 (1) Section 27 (defendant convicted or committed) is amended as...
- 15 (1) Section 28 (defendant neither convicted nor acquitted) is amended...
- 16 (1) Section 31 (appeal by prosecutor or Director) is amended...
- 17 In section 33(2) (appeal to the House of Lords)—
- 18 Omit section 34 (Director as enforcement authority).
- 19 (1) Section 35 (Director not appointed as enforcement authority) is...
- 20 Omit sections 36 and 37 (Director appointed as enforcement authority)...
- 21 (1) Section 39 (reconsideration etc: variation of prison term) is...
- 22 (1) Section 40 (conditions for exercise of powers) is amended...
- 23 In section 42(2) (application, discharge and variation) omit paragraph (b)....
- 24 Omit sections 52 and 53 (Director’s receivers).
- 25 Omit sections 56 and 57 (Director’s receivers and sums received)...
- 26 In section 58(6)(b) (restraint orders: restrictions) for “, 50 or...
- 27 Omit section 60 (Director’s receivers).

*Status: This is the original version (as it was originally enacted).*

---

- 28 In section 61 (protection) for “, 50 or 52” substitute...
- 29 In section 62(1) (further applications) for “, 50 or 52”...
- 30 In section 63(1) (discharge and variation)— (a) for “to 53”...
- 31 (1) Section 64 (management receivers: discharge) is amended as follows....
- 32 (1) Section 65 (appeal to Court of Appeal) is amended...
- 33 In section 67(4) (seized money) omit paragraph (c).
- 34 In section 69(1) (powers of court and receiver)—
- 35 In section 74(1) (enforcement abroad)— (a) in paragraph (b) omit...
- 36 In section 156(3)(a) (making of confiscation orders in Northern Ireland)...
- 37 In section 161(7) (time for payment of order) omit paragraph...
- 38 In section 164(7)(b) (postponement of proceedings) omit “or the Director...
- 39 (1) Section 166 (statement of information) is amended as follows....
- 40 In section 167(1) (defendant’s response to statement of information) omit...
- 41 In section 168(6) (provision of information by defendant) omit “or...
- 42 In section 169(1)(c) (no order made: reconsideration of case) omit...
- 43 (1) Section 170 (no order made: reconsideration of benefit) is...
- 44 In section 171(1) (order made: reconsideration of benefit), in paragraphs...
- 45 In section 172(2) (order made: reconsideration of available amount)—
- 46 In section 173(1)(b) (inadequacy of available amount: variation of order)...
- 47 (1) Section 176 (information) is amended as follows.
- 48 (1) Section 177 (defendant convicted or committed) is amended as...
- 49 (1) Section 178 (defendant neither convicted nor acquitted) is amended...
- 50 (1) Section 181 (appeal by prosecutor or Director) is amended...
- 51 In section 183(2) (appeal to the House of Lords)—
- 52 Omit section 184 (Director as enforcement authority).
- 53 Omit section 186 (Director’s application for enforcement).
- 54 (1) Section 188 (reconsideration etc: variation of prison term) is...
- 55 (1) Section 189 (conditions for exercise of powers) is amended...
- 56 In section 191(2) (application, discharge and variation) omit paragraph (b)....
- 57 Omit sections 200 and 201 (Director’s receivers).
- 58 Omit sections 204 and 205 (Director’s receivers and sums received...
- 59 In section 206(5)(b) (restraint orders) for “, 198 or 200”...
- 60 Omit section 208 (Director’s receivers).
- 61 In section 209 (protection) for “, 198 or 200” substitute...
- 62 (1) Section 210 (further applications) is amended as follows.
- 63 In section 211(1) (discharge and variation)— (a) for “any of...
- 64 (1) Section 212 (management receivers: discharge) is amended as follows....
- 65 (1) Section 213 (appeal to Court of Appeal) is amended...
- 66 In section 215(4) (seized money) omit paragraph (d).
- 67 In section 217(1) (powers of court and receiver)—
- 68 In section 222(1) (enforcement abroad)— (a) in paragraph (b) omit...
- 69 In section 417(2) (insolvency etc: modifications of the 1986 Act)—...
- 70 (1) Section 418 (restriction of powers) is amended as follows....
- 71 In section 419(2)(b) (tainted gifts)— (a) omit “52,”; and

- 72 In section 420(2) (modifications of the 1985 Act)—  
73 (1) Section 421 (restriction of powers) is amended as follows....  
74 In section 422(2)(b) (tainted gifts)— (a) omit “52,”; and  
75 In section 423(2) (modifications of the 1989 Order)—  
76 (1) Section 424 (restriction of powers) is amended as follows....  
77 In section 425(2)(b) (tainted gifts)— (a) omit “52,”; and  
78 (1) Section 426 (winding up under the 1986 Act) is...  
79 In section 427(3)(b) (tainted gifts)— (a) omit “52,”; and  
80 (1) Section 428 (winding up under the 1989 Order) is...  
81 In section 429(3)(b) (tainted gifts)— (a) omit “52,”; and  
82 (1) Section 430 (floating charges) is amended as follows.  
83 In section 432(7) (insolvency practitioners)— (a) in paragraph (a) for...  
84 In Schedule 10 (tax), in paragraph 1—  
Part 2 — TRANSFER OF CIVIL RECOVERY FUNCTIONS  
85 The Proceeds of Crime Act 2002 (c. 29) is amended...  
86 In section 246(7) (application for interim receiving order) for  
“Agency”...  
87 After section 272(6) (compensation for loss in relation to associated...  
88 (1) Section 280 (applying realised proceeds) is amended as follows....  
89 After section 283(9) (compensation) insert— (10) In the case of...  
90 Omit section 313 (restriction on performance of Director’s functions  
by...  
91 (1) Section 316 (general interpretation: Part 5) is amended as...  
Part 3 — TRANSFER OR ABOLITION OF REVENUE FUNCTIONS  
92 The Proceeds of Crime Act 2002 (c. 29) is amended...  
93 (1) Section 317 (Director’s general Revenue functions) is amended as...  
94 (1) Section 318 (Revenue functions regarding employment) is amended  
as...  
95 (1) Section 319 (source of income) is amended as follows....  
96 (1) Section 320 (appeals) is amended as follows.  
97 (1) Section 321 (Director’s functions: transfers of value) is amended...  
98 (1) Section 322 (Director’s functions: certain settlements) is amended  
as...  
99 (1) Section 324 (exercise of Revenue functions) is amended as...  
100 (1) Section 325 (declarations) is amended as follows.  
101 (1) Schedule 8 (forms of declarations) is amended as follows....  
102 The Secretary of State may by order—  
Part 4 — TRANSFER OF INVESTIGATION FUNCTIONS  
103 The Proceeds of Crime Act 2002 (c. 29) is amended...  
104 In section 351(5) (supplementary)— (a) after “investigator,” where it  
first...  
105 (1) Section 352 (search and seizure warrants) is amended as...  
106 In section 353(10)(b) (requirements where production order not  
available) for...  
107 (1) Section 356 (further provisions: civil recovery) is amended as...  
108 (1) Section 357 (disclosure orders) is amended as follows.  
109 (1) Section 361 (further provisions) is amended as follows.  
110 (1) Section 362 (supplementary) is amended as follows.  
111 (1) Section 369 (supplementary) is amended as follows.  
112 In section 375(4) (supplementary)— (a) after “investigator,” where it  
first...  
113 Omit section 376 (evidence overseas).  
114 (1) Section 377 (code of practice) is amended as follows....

*Status: This is the original version (as it was originally enacted).*

---

- 115 After section 377 (code of practice of Secretary of State...  
 116 (1) Section 378 (officers) is amended as follows.  
 117 In section 416(2) (other interpretative provisions)— (a) after the entry...  
 118 After section 449 (pseudonyms) insert— Staff of relevant Directors:  
 pseudonyms...  
 119 (1) Section 459 (orders and regulations) is amended as follows....  
     Part 5 — TRANSFER OF ACCREDITATION AND TRAINING FUNCTIONS  
 120 (1) Section 3 of the Proceeds of Crime Act 2002...  
     Part 6 — OTHER AMENDMENTS TO 2002 ACT  
 121 The Proceeds of Crime Act 2002 is amended as follows...  
 122 In the heading for Part 1 for “Assets Recovery Agency”...  
 123 Omit sections 1 and 2 (the Assets Recovery Agency, its...  
 124 After section 2 insert— Contribution to the reduction of crime...  
 125 Omit sections 4 and 5 (co-operation and advice and assistance...  
 126 In section 330(4)(b) (failure to disclose: regulated sector) for “the...  
 127 In section 331(4) (failure to disclose: nominated officers in the...  
 128 In section 332(4) (failure to disclose: other nominated officers) for...  
 129 In section 336(2)(a), (3)(a) and (4)(a) (nominated officer: consent) for...  
 130 In section 340(13) (interpretation: Part 7) for “the Serious Organised...  
 131 For section 435 (use of information by Director) substitute— Use...  
 132 (1) Section 436 (disclosure of information to Director) is amended...  
 133 (1) Section 437 (further disclosure) is amended as follows.  
 134 (1) Section 438 (disclosure of information by Director) is amended...  
 135 In section 439(5) (disclosure of information to Lord Advocate and...  
 136 In section 441(2) (disclosure of information by Lord Advocate and...  
 137 (1) Section 443 (enforcement in different parts of the United...  
 138 In section 444(4)(d) (external requests and orders) for “the Director”...  
 139 In section 445(2)(b) (external investigations) for the words from “the...  
 140 (1) Section 449 (agency staff: pseudonyms) is amended as follows...  
 141 After section 460(2) (finance) insert— (3) Subject to anything in...  
 142 Omit Schedule 1 (the Assets Recovery Agency).  
     Part 7 — AMENDMENTS TO OTHER ENACTMENTS  
 143 Parliamentary Commissioner Act 1967 (c. 13)  
 144 Criminal Appeal Act 1968 (c. 19)  
 145 In section 51(1A) of that Act (interpretation) omit “, subject...  
 146 Criminal Appeal (Northern Ireland) Act 1980 (c. 47)  
 147 Limitation Act 1980 (c. 58)  
 148 Legal Aid, Advice and Assistance (Northern Ireland) Order 1981 (S.I.  
 1981/228 (N.I.8))  
 149 Prosecution of Offences Act 1985 (c. 23)  
 150 Bankruptcy (Scotland) Act 1985 (c. 66)  
 151 Insolvency Act 1986 (c. 45)  
 152 Criminal Justice Act 1987 (c. 38)  
 153 Limitation (Northern Ireland) Order 1989 (SI 1989/1339 (N.I.11))  
 154 Insolvency (Northern Ireland) Order 1989 (SI 1989/2405 (N.I.19))  
 155 Police Act 1996 (c. 16)  
 156 Police (Northern Ireland) Act 1998 (c. 32)  
 157 After section 60ZA(6) of that Act (SOCA) insert—  
 158 Northern Ireland Act 1998 (c. 47)  
 159 Access to Justice Act 1999 (c. 22)  
 160 Police Reform Act 2002 (c. 30)  
 161 After section 26A(4) of that Act (SOCA) insert—

- 162 After section 26B(4) of that Act (National Policing Improvement Agency)...
- 163 Access to Justice (Northern Ireland) Order 2003 (S.I. 2003/435 (N.I.10))
- 164 Commissioners for Revenue and Customs Act 2005 (c. 11)
- 165 After section 35(4) of that Act (functions of the Director...
- 166 In section 37(1) of that Act (prosecutors) after “section 35”...
- 167 (1) Section 40 of that Act (confidentiality) is amended as...
- 168 In section 41(1) of that Act (disclosure of information to...
- 169 Serious Organised Crime and Police Act 2005 (c. 15)
- 170 (1) Section 5 of that Act (SOCA’s general powers) is...
- 171 After section 19(4) of that Act (charges by SOCA and...
- 172 (1) Section 33 (disclosure of information by SOCA) of that...
- 173 After section 35(1) of that Act (restrictions on further disclosure)...
- 174 In paragraph 8 of Schedule 1 to that Act (SOCA’s...
- 175 In paragraph 21(1) and (2) of Schedule 5 to that...
- 176 Gambling Act 2005 (c. 19)
- 177 Police and Justice Act 2006 (c. 48)
- 178 Corporate Manslaughter and Corporate Homicide Act 2007 (c. 19)

#### SCHEDULE 9 — Transfers to SOCA or NPIA

- 1 Interpretation
- 2 Director and staff of Agency
- 3 (1) A transfer scheme may provide— (a) for any secondment...
- 4 (1) A transfer scheme may provide— (a) for the transfer...
- 5 (1) A transfer scheme may provide for a person who—...
- 6 (1) A transfer scheme may provide for the termination of...
- 7 Property, rights and liabilities etc.
- 8 A transfer scheme may provide for SOCA or NPIA to...
- 9 Supplementary
- 10 Before making a transfer scheme which contains any provision relating...
- 11 A transfer scheme is not an order of the Secretary...

#### SCHEDULE 10 — Detained cash investigations: further provision

- 1 Amendments to the Proceeds of Crime Act 2002
- 2 In section 342(1) (offences of prejudicing investigation) after “a civil...
- 3 In section 343(3) (judges) after “a civil recovery investigation” insert...
- 4 In section 344(b) (courts) after “a civil recovery investigation” insert...
- 5 In section 350(5)(b) (government departments) after “a civil recovery investigation”...
- 6 In section 351(8) (supplementary) after “a civil recovery investigation” insert...
- 7 (1) Section 352 (search and seizure warrants) is amended as...
- 8 (1) Section 353 (requirements where production order not available) is...
- 9 (1) Section 356 (further provisions: civil recovery) is amended as...
- 10 In section 357(2) (investigations to which disclosure orders do not...
- 11 In section 363 (customer information orders) after subsection (1) insert —...
- 12 In section 370 (account monitoring orders) after subsection (1) insert —...
- 13 In section 378 (officers) after subsection (3) insert—
- 14 In section 380(2) (sheriff in Scotland to act in exercise...

- 15 In section 385(4)(b) (government departments: Scotland) after “a civil recovery...”
- 16 In section 386(3)(b) (rules of court in connection with production...
- 17 In section 387(2) (sheriff in Scotland to act in exercise...
- 18 In section 388(5)(a) (requirements where production order not available: Scotland)...
- 19 (1) Section 390 (further provisions: confiscation, civil recovery and money...
- 20 In section 391(2) (investigations to which disclosure orders do not...
- 21 In section 397 (customer information orders: Scotland) after subsection (1)...
- 22 In section 404 (account monitoring orders: Scotland) after subsection (1)...
- 23 (1) Section 412 (interpretation: Scotland) is amended as follows.
- 24 (1) Section 416 (other interpretative provisions) is amended as follows....
- 25 In section 450(1)(a) (pseudonyms: Scotland) after “a civil recovery investigation”...
- 26 Other amendments
- 27 In section 64(3)(aa) of the Criminal Justice and Police Act...
- 28 In Schedule 2 to the Commissioners for Revenue and Customs...

**SCHEDULE 11 — Powers to recover cash: financial investigators**

- 1 Amendments to Chapter 3 of Part 5 of 2002 Act
- 2 (1) Section 289 (powers to search for cash) is amended...
- 3 (1) Section 290 (prior approval by senior officer) is amended...
- 4 In section 291(2) (report on exercise of powers) for “or...”
- 5 (1) Section 292 (code of practice) is amended as follows....
- 6 (1) Section 294 (seizure of cash) is amended as follows....
- 7 (1) Section 295 (detention of seized cash) is amended as...
- 8 In section 296(2) (release of part of cash seized) for...
- 9 In section 297(4) (release of detained cash) after “constable” insert...
- 10 In section 298(1)(a) (power to apply for forfeiture) before “or”...
- 11 After section 302(7) insert— (7A) If the cash was seized...
- 12 (1) Section 302A (powers for prosecutors to appear in proceedings)...
- 13 After section 303 insert— Financial investigators (1) In this Chapter (apart from this section) any reference...
- 14 Other amendments to 2002 Act
- 15 (1) Section 459 of that Act (orders and regulations) is...
- 16 Amendments to other enactments
- 17 In section 33(2)(cd) of the Serious Organised Crime and Police...

**SCHEDULE 12 — Revenue and Customs: regulation of investigatory powers**

- 1 Police Act 1997 (c. 50)
- 2 In section 94(2)(f) of that Act (urgency) for “by a...”
- 3 In section 107(4)(c) of that Act (supplementary) for “the Commissioners...”
- 4 In section 108(1) of that Act (interpretation) omit the definition...
- 5 Regulation of Investigatory Powers Act 2000 (c. 23)
- 6 In section 6(2)(h) (application for issue of interception warrant) for...
- 7 In section 21(5)(c) (acquisition of data, &c.) for “customs officers.”...
- 8 In the definition of “relevant public authority” in section 25(1)...

- 9 In section 27(4)(c) (lawful surveillance, &c.) for “customs officers.” substitute...
- 10 For section 32(6)(m) (authorisation of intrusive surveillance) substitute —
- 11 In section 33 (surveillance: authorisation)— (a) for subsection (2) substitute—...
- 12 In section 34 (grant of authorisation in senior officer’s absence)—...
- 13 In section 35 (intrusive surveillance authorisation: notification)—
- 14 In section 36 (approval required for authorisation of intrusive surveillance)...
- 15 For section 37(1)(d) (quashing authorisations) substitute— (d) an officer of...
- 16 For section 40(d) (information) substitute— (d) every officer of Revenue...
- 17 In section 46(3) (Scotland: restrictions) for paragraph (e) substitute—
- 18 In section 48(3)(c)(ii) (interpretation) for “customs officers.” substitute “officers of...”
- 19 In section 49(1)(e) (encrypted data: disclosure: permission) for “the customs...”
- 20 In section 51 (cases where key required)—
- 21 In section 54(3) (secrecy) for “the customs and excise” substitute...
- 22 For section 55(1)(c) (general duty in relation to encrypted data)...
- 23 In section 56(1) (interpretation) omit the definition of “the customs...”
- 24 For section 65(6)(f) (the Tribunal) substitute— (f) the Commissioners for...
- 25 In section 71(2)(c) (codes of practice) for “customs and excise”...
- 26 In section 76A(11) (foreign surveillance operations) for paragraph (d) of...
- 27 In section 81(1) (interpretation) omit the definition of “customs officer”....
- 28 In Schedule 1 (surveillance authorisation: relevant authorities) for paragraphs 7...
- 29 (1) In paragraphs 2(3) and (5), 4(2) and 5(3)(b) of...
- 30 Commissioners for Revenue and Customs Act 2005 (c. 11)
- 31 Nothing in section 6 or 7 of the Commissioners for...

#### SCHEDULE 13 — Transitional and transitory provisions and savings

- 1 Serious crime prevention orders
- 2 (1) Section 19, 20 or 21 does not apply to...
- 3 In the application of section 23(2) or 24(5) before the...
- 4 In the application of section 25(2)(a)— (a) in England and...
- 5 Encouraging or assisting crime
- 6 (1) This paragraph applies where, in any proceedings—
- 7 In relation to any time before the coming into force...
- 8 Data-sharing
- 9 Data matching

#### SCHEDULE 14 — Repeals and revocations