



# Crime and Courts Act 2013

## 2013 CHAPTER 22

### PART 1

#### THE NATIONAL CRIME AGENCY

##### *Other functions etc.*

#### **9 Director General: customs powers of Commissioners & operational powers**

- (1) The Director General has, in relation to any customs matter, the same powers as the Commissioners for Her Majesty's Revenue and Customs would have.
- (2) The Secretary of State may designate the Director General as a person having one or more of the following—
  - (a) the powers and privileges of a constable;
  - (b) the powers of an officer of Revenue and Customs;
  - [<sup>F1</sup>(ba) the powers of a general customs official;]
  - (c) the powers of an immigration officer.
- (3) The Secretary of State may modify or withdraw a designation of the Director General by giving notice of the modification or withdrawal to the Director General.
- (4) Schedule 5 (police, customs and immigration powers) has effect.
- (5) If, in accordance with paragraph 4 of Schedule 5, recommendations are made to the Secretary of State as to the operational powers which the Director General should have, the Secretary of State must exercise the powers of designation to give effect to those recommendations (unless the recommendations are already given effect to by a previous exercise of the powers of designation).
- (6) The Secretary of State may not exercise the powers of designation unless—
  - (a) required to do so by subsection (5); or
  - (b) required or otherwise authorised to do so by regulations under paragraph 5 of Schedule 5.

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*Changes to legislation: There are currently no known outstanding effects for the Crime and Courts Act 2013, Section 9. (See end of Document for details)*

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- (7) In this section “powers of designation” means the powers conferred by subsections (2) and (3).
- (8) In this Part—
- “customs matter” means any matter other than—
- (a) a matter to which section 7 of the Commissioners for Revenue and Customs Act 2005 applies (former Inland Revenue matters), or
  - (b) any tax or duty not mentioned in Schedule 1 to that Act (which lists such matters);
- “operational power” means any of the following—
- (a) a power or privilege of a constable;
  - (b) a power of an officer of Revenue and Customs;
  - (ba) [<sup>F2</sup>a power of a general customs official;]
  - (c) a power of an immigration officer.

#### Textual Amendments

- F1** S. 9(2)(ba) inserted (31.1.2017 for specified purposes, 31.3.2017 in so far as not already in force) by [Policing and Crime Act 2017 \(c. 3\)](#), **ss. 158(2)(a)**, [183\(5\)\(e\)\(6\)\(c\)](#)
- F2** Words in s. 9(8) inserted (31.1.2017 for specified purposes, 31.3.2017 in so far as not already in force) by [Policing and Crime Act 2017 \(c. 3\)](#), **ss. 158(2)(b)**, [183\(5\)\(e\)\(6\)\(c\)](#)

#### Commencement Information

- I1** S. 9(1)-(3)(5)-(8) in force at 7.10.2013 by [S.I. 2013/1682](#), **art. 3(l)**
- I2** S. 9(4) in force at 8.5.2013 for specified purposes by [S.I. 2013/1042](#), **art. 2(c)**
- I3** S. 9(4) in force at 27.5.2013 for specified purposes by [S.I. 2013/1042](#), **art. 3(g)**
- I4** S. 9(4) in force at 7.10.2013 in so far as not already in force by [S.I. 2013/1682](#), **art. 3(m)**

**Changes to legislation:**

There are currently no known outstanding effects for the Crime and Courts Act 2013, Section 9.