



# Criminal Finances Act 2017

## 2017 CHAPTER 22

### PART 1

#### PROCEEDS OF CRIME

#### CHAPTER 4

##### ENFORCEMENT POWERS AND RELATED OFFENCES

##### *Assault and obstruction offences*

## 22 Search and seizure warrants: assault and obstruction offences

After section 356 of the Proceeds of Crime Act 2002 (and before the italic heading before section 357) insert—

### **“356A Certain offences in relation to execution of search and seizure warrants**

- (1) A person commits an offence if the person assaults an appropriate person who is acting in the exercise of a power conferred by a search and seizure warrant issued under section 352.
- (2) A person commits an offence if the person resists or wilfully obstructs an appropriate person who is acting in the exercise of a power conferred by a search and seizure warrant issued under section 352.
- (3) A person guilty of an offence under subsection (1) is liable—
  - (a) on summary conviction in England and Wales, to imprisonment for a term not exceeding 51 weeks, or to a fine, or to both;
  - (b) on summary conviction in Northern Ireland, to imprisonment for a term not exceeding 6 months, or to a fine not exceeding level 5 on the standard scale, or to both.

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*Changes to legislation: There are currently no known outstanding effects for the Criminal Finances Act 2017, Section 22. (See end of Document for details)*

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- (4) A person guilty of an offence under subsection (2) is liable—
- (a) on summary conviction in England and Wales, to imprisonment for a term not exceeding 51 weeks, or to a fine not exceeding level 3 on the standard scale, or to both;
  - (b) on summary conviction in Northern Ireland, to imprisonment for a term not exceeding 1 month, or to a fine not exceeding level 3 on the standard scale, or to both.
- (5) An appropriate person is—
- (a) a National Crime Agency officer, a Financial Conduct Authority officer or a member of the staff of the relevant Director, if the warrant was issued for the purposes of a civil recovery investigation;
  - (b) a National Crime Agency officer, if the warrant was issued for the purposes of an exploitation proceeds investigation.
- (6) In relation to an offence committed before the coming into force of section 281(5) of the Criminal Justice Act 2003 (alteration of penalties for certain summary offences: England and Wales)—
- (a) the reference in subsection (3)(a) to 51 weeks is to be read as a reference to 6 months;
  - (b) the reference in subsection (4)(a) to 51 weeks is to be read as a reference to 1 month.”

**Commencement Information**

- I1** S. 22 in force at Royal Assent for specified purposes, see s. 58
- I2** S. 22 in force at 31.1.2018 for specified purposes for E.W. by [S.I. 2018/78](#), **reg. 3(g)**
- I3** S. 22 in force at 28.6.2021 for specified purposes for E.W. by [S.I. 2021/724](#), **reg. 2(2)(a)**
- I4** S. 22 in force at 28.6.2021 for N.I. in so far as not already in force by [S.I. 2021/724](#), **reg. 2(1)(j)**

**Changes to legislation:**

There are currently no known outstanding effects for the Criminal Finances Act 2017, Section 22.