***Changes to legislation:** There are currently no known outstanding effects for the European Union (Future Relationship) Act 2020, Cross Heading: Customer information orders in relation to safe deposit boxes. (See end of Document for details)*

SCHEDULES

SCHEDULE 3

MUTUAL ASSISTANCE IN CRIMINAL MATTERS

Customer information orders in relation to safe deposit boxes

3 (1) In Part 1 of the 2003 Act, Chapter 4 (information about banking transactions) is amended as follows.

(2) In section 32 (customer information: England and Wales and Northern Ireland), for subsection (6) substitute—

"(6) Section 364 of the Proceeds of Crime Act 2002 (meaning of customer information) has effect for the purposes of this section as if—

(a) this section were included in Chapter 2 of Part 8 of that Act,

(b) subsections (2)(f) and (3)(i) of that section were omitted, and

(c) the amendments of that section made in relation to Northern Ireland by Article 14 of the Criminal Justice (Northern Ireland) Order 2005 (S.I. 2005/1965 (N.I. 15)) (which provide that "customer information" includes information in relation to safe deposit boxes) also extended to England and Wales."

(3) In section 37 (customer information: Scotland), for subsection (6) substitute—

"(6) Section 398 of the Proceeds of Crime Act 2002 (meaning of customer information) has effect for the purposes of this section as if—

(a) this section were included in Chapter 3 of Part 8 of that Act;

(b) in subsection (1), after "accounts" there were inserted " or any safe deposit box ";

(c) in subsection (2)—

(i) in paragraph (a), after "numbers" there were inserted " or the number of any safe deposit box ";

(ii) in paragraph (e), at the beginning there were inserted "in the case of an account or accounts,";

(iii) after that paragraph there were inserted—

"(ee) in the case of any safe deposit box, the date on which the box was made available to him and if the box has ceased to be available to him the date on which it so ceased;";

(iv) paragraph (f) were omitted;

(d) in subsection (3)—

(i) in paragraph (a), after "numbers" there were inserted " or the number of any safe deposit box ";

(ii) in paragraph (h), at the beginning there were inserted "in the case of an account or accounts,";

(iii) after that paragraph there were inserted—

"(hh) in the case of any safe deposit box, the date on which the box was made available to it and if the box has ceased to be available to it the date on which it so ceased;";

(iv) paragraph (i) were omitted;

(e) after subsection (5) there were inserted—

"(6) A "safe deposit box" includes any procedure under which a financial institution provides a facility to hold items for safe keeping on behalf of another person.""

(4) The amendments made by this paragraph apply in relation to requests received by the Secretary of State or (as the case may be) the Lord Advocate after the coming into force of this paragraph.

Commencement Information

I1 Sch. 3 para. 3 in force at 31.12.2020 by S.I. 2020/1662, **reg. 2(dd)**

4 (1) In Part 2 of the Proceeds of Crime Act 2002 (External Investigations) Order 2013 (S.I. 2013/2605), article 57 (meaning of customer information) is amended as follows.

(2) In paragraph (1), after "accounts" insert " or any safe deposit box ".

(3) In paragraph (2)—

(a) in sub-paragraph (a), after "numbers" insert " or the number of any safe deposit box ";

(b) in sub-paragraph (e), at the beginning insert " in the case of an account or accounts, ";

(c) after that sub-paragraph insert—

"(ea) in the case of any safe deposit box, the date on which the box was made available to them and if the box has ceased to be available to them the date on which it so ceased,".

(4) In paragraph (3)—

(a) in sub-paragraph (a), after "numbers" insert " or the number of any safe deposit box ";

(b) in sub-paragraph (h), at the beginning insert " in the case of an account or accounts, ";

(c) after that sub-paragraph insert—

"(ha) in the case of any safe deposit box, the date on which the box was made available to it and if the box has ceased to be available to it the date on which it so ceased,".

(5) After paragraph (4) insert—

"(5) A "safe deposit box" includes any procedure under which a financial institution provides a facility to hold items for safe keeping on behalf of another person."

(6) The amendments made by this paragraph apply in relation to requests received by the Secretary of State after the coming into force of this paragraph.

Commencement Information

I2 Sch. 3 para. 4 in force at 31.12.2020 by S.I. 2020/1662, **reg. 2(dd)**

5 (1) In Part 4 of the Proceeds of Crime Act 2002 (External Investigations) (Scotland) Order 2015 (S.I. 2015/206) (customer information orders), article 23 (meaning of customer information) is amended as follows.

(2) In paragraph (1), after "accounts" insert " or any safe deposit box ".

(3) In paragraph (2)—

(a) in sub-paragraph (a), after "numbers" insert " or the number of any safe deposit box ";

(b) in sub-paragraph (e), at the beginning insert " in the case of an account or accounts, ";

(c) after that sub-paragraph insert—

"(ea) in the case of any safe deposit box, the date on which the box was made available to them and if the box has ceased to be available to them the date on which it so ceased;".

(4) In paragraph (3)—

(a) in sub-paragraph (a), after "numbers" insert " or the number of any safe deposit box ";

(b) in sub-paragraph (h), at the beginning insert " in the case of an account or accounts, ";

(c) after that sub-paragraph insert—

"(ha) in the case of any safe deposit box, the date on which the box was made available to it and if the box has ceased to be available to it the date on which it so ceased;".

(5) After paragraph (4) insert—

"(5) A "safe deposit box" includes any procedure under which a financial institution provides a facility to hold items for safe keeping on behalf of another person."

(6) The amendments made by this paragraph apply in relation to requests received by the Secretary of State after the coming into force of this paragraph.

Commencement Information

I3 Sch. 3 para. 5 in force at 31.12.2020 by S.I. 2020/1662, **reg. 2(dd)**

Changes to legislation:
There are currently no known outstanding effects for the European Union (Future Relationship) Act 2020, Cross Heading: Customer information orders in relation to safe deposit boxes.