
STATUTORY INSTRUMENTS

2003 No. 425

The Proceeds of Crime Act 2002 (Investigations in different parts of the United Kingdom) Order 2003

PART 2

ENFORCEMENT IN ENGLAND AND WALES OF SCOTTISH AND NORTHERN IRELAND ORDERS AND WARRANTS

Northern Ireland search and seizure warrants

5.—(1) This article applies where a Northern Ireland search and seizure warrant authorises entry into and search of premises in England and Wales.

(2) Section 352(4) of the Act (definition of a search and seizure warrant) has effect with the modification that for “an appropriate person”, there is substituted “one or more appropriate persons, as the warrant specifies”.

(3) Section 352(5) of the Act (definition of an appropriate person) has effect with the modifications in paragraph (4).

(4) The modifications are that for paragraphs (a) and (b), there are substituted—

- “(a) a customs officer; or
- (b) a constable of a police force in England and Wales; or
- (c) a constable of the Police Service of Northern Ireland.”

(5) Section 354 of the Act (further provisions) applies as if the warrant were an English or Welsh search and seizure warrant.

(6) Article 7 of the Police and Criminal Evidence Order (application of article 18 of the Police and Criminal Evidence (Northern Ireland) Order 1989) does not apply to the execution of the warrant in England and Wales.

(7) Article 3 of the Police and Criminal Evidence Order (application of section 16 of the Police and Criminal Evidence Act 1984) has effect in relation to the execution of the warrant in England and Wales as it has effect in relation to the execution of an English or Welsh search and seizure warrant.

(8) Article 22 of the Police and Criminal Evidence (Northern Ireland) Order 1989⁽¹⁾ (extension of powers to computerised information) does not apply to a power of seizure under the warrant exercised in England and Wales.

(9) Section 20 of the Police and Criminal Evidence Act 1984⁽²⁾ (extension of powers to computerised information) has effect in relation to a power of seizure under the warrant exercised in England and Wales as it has effect in relation to the exercise of a power of seizure conferred by an enactment to which that section applies and as if the reference to a constable included a constable

(1) S.I.1989/1341 (N.I. 12).

(2) 1984 c. 60.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

of the Police Service of Northern Ireland or a customs officer exercising functions by virtue of paragraphs (2) to (4).

(10) Articles 8 and 9 of the Police and Criminal Evidence Order (application of articles 23 and 24 of the Police and Criminal Evidence (Northern Ireland) Order 1989) have effect as if the warrant had been executed in Northern Ireland.

(11) Articles 4 and 5 of the Police and Criminal Evidence Order (application of sections 21 and 22 of the Police and Criminal Evidence Act 1984) do not apply.