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STATUTORY INSTRUMENTS

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**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

**Scottish search warrants**

6.—(1) This article applies where a Scottish search warrant authorises entry into and search of premises in England and Wales.

(2) Section 387(4) of the Act (definition of search warrant) has effect with the modification that for “a proper person”, there is substituted “a constable of a police force in England and Wales, a constable of a police force in Scotland or both acting together, as the warrant specifies”.

(3) Section 389 of the Act (further provisions) does not apply and section 354 of the Act (further provisions) applies as if the warrant were an English or Welsh search and seizure warrant.

(4) 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.

(5) Section 390(3) of the Act (which deals with computerised information in relation to Scottish search warrants) does not apply to the execution of the warrant in England and Wales.

(6) Section 20 of the Police and Criminal Evidence Act 1984 (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 of a police force in Scotland exercising functions by virtue of paragraph (2).

(7) Section 390(4) of the Act (which states that copies may be taken of material seized under a Scottish search warrant) has effect as if the warrant had been executed in Scotland.

(8) 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.

(9) The Summary Jurisdiction (Process) Act 1881 does not apply.