

## SCHEDULE 1

### Amendments of the POA 1985 and the CRCA 2005

## PART 2

### The CRCA 2005

- 10.**—(1) Section 40(1) (confidentiality) is amended as follows.
- (2) In subsection (1)—
- (a) for “The Revenue and Customs Prosecutions Office” substitute “The Crown Prosecution Service”;
  - (b) in paragraph (a), for “the Prosecutions Office in connection with any of its functions” substitute “the Service in connection with any of the Director of Public Prosecution’s functions”;
  - (c) omit the “and” following paragraph (a);
  - (d) after paragraph (b) insert—
    - “, and
    - (c) was disclosed to the Director of Public Prosecutions by Her Majesty’s Revenue and Customs for use in connection with a Revenue and Customs function of the Director of Public Prosecutions.”.
- (3) In subsection (2)—
- (a) in paragraph (a)(i), for “the Prosecutions Office” substitute “the Director of Public Prosecutions”;
  - (b) in paragraph (a)(ii), after “the Director” insert “of Public Prosecutions”;
  - (c) in paragraph (ca)(iii), omit “the Director of Public Prosecutions,”;
  - (d) omit paragraph (cb);
  - (e) in paragraph (d), after “the Director” insert “of Public Prosecutions”;
  - (f) after paragraph (e) insert—
    - “(ea) does not apply to a disclosure made with the consent of the Commissioners (which may be general or specific),”.
- (4) In subsection (4)—
- (a) for “the Revenue and Customs Prosecutions Office” substitute “the Crown Prosecution Service”;
  - (b) for “the Office” substitute “the Service”.
- (5) In subsection (6)—
- (a) for “the Revenue and Customs Prosecutions Office” substitute “the Crown Prosecution Service”;
  - (b) before paragraph (a) insert—
    - “(za) former members of the Crown Prosecution Service,

---

(1) Section 40(2)(ca) was inserted by the Serious Crime Act 2007, section 74(2), Schedule 8, paragraph 167(1) and (2); amended by that Act, section 79, Schedule 11, paragraph 16; and amended by the Crime and Courts Act 2013, section 15(3), Schedule 8, paragraph 186. Section 40(2)(cb) was inserted by the Serious Crime Act 2007, section 74(2), Schedule 8, paragraph 167(1) and (2). Section 40(10A) was inserted by the Serious Crime Act 2007, section 74(2), Schedule 8, paragraph 167(1) and (3).

**Status:** This is the original version (as it was originally made).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

- (zb) persons who hold or have held appointment under section 5 of the Prosecution of Offences Act 1985,”;
- (c) in paragraph (a), for “the Office” substitute “the Revenue and Customs Prosecutions Office”;
- (d) in paragraph (b), omit “hold or”.
- (6) After subsection (6) insert—
  - “(6A) In this section “Revenue and Customs function of the Director of Public Prosecutions” means—
    - (a) a function of the Director of Public Prosecutions under section 3(2)(ab), (bb) or (ee) of the Prosecution of Offences Act 1985, or
    - (b) a function of the Director of Public Prosecutions under the Proceeds of Crime Act 2002 that relates to a function of the Commissioners for Her Majesty’s Revenue and Customs or an officer of Revenue and Customs.”.
- (7) In subsection (8), for the words from “only—” to the end substitute “only by or with the consent of the Director of Public Prosecutions.”.
- (8) Omit subsection (10A).