
WELSH STATUTORY INSTRUMENTS

2018 No. 767

The Proceeds of Crime Act 2002 (References to Welsh Revenue Authority Financial Investigators) (Amendment) Order 2018

Amendments to the Proceeds of Crime Act 2002 (References to Welsh Revenue Authority Financial Investigators) Order 2018

2.—(1) The Proceeds of Crime Act 2002 (References to Welsh Revenue Authority Financial Investigators) Order 2018⁽¹⁾ is amended as follows.

(2) In Part 1 (reference to an accredited financial investigator who is a member of staff of WRA) of the Schedule—

(a) in paragraph 3, after “290(4)(c)” insert “and the reference in section 297A(6)(c)⁽²⁾”;

(b) after paragraph 3 insert—

“**3A.** Section 303C(9)(d)⁽³⁾ (relevant officer for the purposes of Chapter 3A), section 303L(5)(d) (specified persons - further detention of seized property) and section 303O(2)(d) (specified persons - forfeiture of property).

3B. Section 303Z1(6)⁽⁴⁾ (enforcement officer for the purposes of Chapter 3B) and section 303Z14(3)(d) (specified persons for the purposes of account forfeiture applications).”;

(c) in paragraph 4, after “352(5)(c)” insert “, (ca) and (cb)⁽⁵⁾”;

(d) in paragraph 5, after “353(10)(c)” insert “, (ca) and (cb)⁽⁶⁾”; and

(e) after paragraph 7 insert—

“**7A.** Section 378(3C)(c)⁽⁷⁾ (appropriate officers for the purposes of detained property investigations under Part 8).

7B. Section 378(3E)(c) (appropriate officers for the purposes of frozen funds investigations under Part 8).”

(3) In Part 2 (reference to an accredited financial investigator who is a member of staff of WRA and is at or above grade 7 or equivalent) of the Schedule—

(a) after paragraph 11 insert—

“**11A.** Section 297A(6)(c) (senior officer for the purpose of giving a forfeiture notice).

11B. Section 303E(4)(f)⁽⁸⁾ (senior officer for the purposes of prior approval for searches).

(1) [S.I. 2018/196 \(W. 45\)](#).

(2) Section 297A was inserted by section 65(1) of the Policing and Crime Act 2009 (c. 26). It was amended by paragraph 14 of Schedule 21 to the Crime and Courts Act 2013 (c. 22) and section 34(7) of, and paragraph 19 of Schedule 1 to the Criminal Finances Act 2017 (c. 22) (“the 2017 Act”).

(3) Sections 303C, 303L and 303O were inserted by section 15 of the 2017 Act.

(4) Sections 303Z1 and 303Z14 were inserted by section 16 of the 2017 Act.

(5) Section 352(5)(ca) and (cb) were inserted by paragraph 47 of Schedule 5 to the 2017 Act.

(6) Section 353(10)(ca) and (cb) were inserted by paragraph 48 of Schedule 5 to the 2017 Act.

(7) Section 378(3C) to (3F) was inserted by paragraph 59 of Schedule 5 to the 2017 Act.

(8) Section 303E was inserted by section 15 of the 2017 Act.

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11C. Section 303Z2(4)(e)(**9**) (senior officer for the purposes of Chapter 3B).

11D. Section 336D(7)(h)(**10**) (senior officer for the purposes of section 336A (power of court to extend the moratorium period)).”; and

(b) after paragraph 13 insert—

“**13A.** Section 378(3D)(c) (senior appropriate officers for the purposes of detained property investigations under Part 8).

13B. Section 378(3F)(c) (senior appropriate officers for the purposes of frozen funds investigations under Part 8).”

(9) Section 303Z2 was inserted by section 16 of the 2017 Act.

(10) Section 336D was inserted by section 10(4) of the 2017 Act.