

SCHEDULE 2

Amendments of other Acts

UK Borders Act 2007

55.—(1) Section 40 (supply of Revenue and Customs information) is amended as follows.

(2) In subsection (1), for “the Revenue and Customs Prosecutions Office (the RCPO)” substitute “the Crown Prosecution Service (the CPS)”.

(3) In subsection (2), in both places, for “the RCPO” substitute “the CPS”.

(4) After subsection (4), insert—

“(4A) Subsections (1) and (2) are subject to subsection (4B).

(4B) In relation to the CPS, this section applies to—

- (a) information held by the CPS in connection with a Revenue and Customs function of the Director of Public Prosecutions;
- (b) a document or article which comes into the possession of, or is discovered by, the CPS, or a person acting on behalf of the CPS, in the exercise of a Revenue and Customs function of the Director of Public Prosecutions.

(4C) In subsection (4B) “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.”.

(5) In subsection (5), in both places, for “the RCPO” substitute “the CPS”.

(6) After subsection (5), insert—

“(5A) Nothing in this section affects any power to supply information apart from this section.”.