

*Draft Order laid before Parliament under section 69(3) of the Criminal Justice and Police Act 2001, for approval by resolution of each House of Parliament.*

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DRAFT STATUTORY INSTRUMENTS

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**2018 No. XXXX**

**ELECTRICITY  
GAS**

**The Criminal Justice and Police Act  
2001 (Powers of Seizure) Order 2018**

*Made* - - - -

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*Coming into force in accordance with article 1*

The Secretary of State makes this Order in exercise of the power conferred by section 69(1)(a) of the Criminal Justice and Police Act 2001(1).

In accordance with section 69(2) of that Act the Secretary of State has consulted the Scottish Ministers.

In accordance with section 69(3) of that Act a draft of this Order was laid before Parliament and approved by a resolution of each House of Parliament.

**Citation and commencement**

**1.** This Order may be cited as the Criminal Justice and Police Act 2001 (Powers of Seizure) Order 2018 and comes into force on the twenty-first day after the day on which it is made.

**Amendment to the Criminal Justice and Police Act 2001**

**2.** At the end of Part 1 of Schedule 1 to the Criminal Justice and Police Act 2001(2) (powers of seizure to which section 50 of that Act applies), insert—

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(1) [2001 c.16](#).

(2) Part 1 of Schedule 1 has been amended numerous times, most recently by section 23(9) of the Cultural Property (Armed Conflicts) Act [2017 \(c.6\)](#) and by [S.I. 2017/730](#).

**“The Electricity and Gas (Market Integrity and Transparency) (Enforcement etc.) Regulations 2013 (S.I. 2013/1389)**

**73S.** The power of seizure conferred by regulation 16(4) of the Electricity and Gas (Market Integrity and Transparency) (Enforcement etc.) Regulations 2013 (entry to premises for purposes of investigation by Gas and Electricity Markets Authority).”.

Date

*Name*  
Parliamentary Under Secretary of State, Minister  
for Business and Industry  
Department for Business, Energy and Industrial  
Strategy

## EXPLANATORY NOTE

*(This note is not part of the Order)*

Regulation (EU) No 1227/2011 of the European Parliament and of the Council of 25 October 2011 on wholesale energy market integrity and transparency (OJ No L 326, 08.12.2011, p1) (“REMIT”) imposes obligations and prohibitions in relation to trading in wholesale energy products within the European Union.

The Electricity and Gas (Market Integrity and Transparency) (Enforcement etc.) Regulations 2013 (“the 2013 Regulations”) confer investigatory and enforcement powers on the Gas and Electricity Markets Authority (“the Authority”) in relation to REMIT requirements.

This instrument amends Part 1 of Schedule 1 to the Criminal Justice and Police Act 2001 so that section 50 of that Act (additional powers of seizure from premises) will apply to seizures by the Authority in the exercise of its powers under regulation 16(4) of the 2013 Regulations.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sectors is foreseen.