Proceeds of Crime Act 2002

2002 CHAPTER 29

PART 10

INFORMATION

England and Wales and Northern Ireland

[F1 435 Use of information by certain [F2 Directors] [F2 authorities]

(1) Information obtained by or on behalf of [F3 the Director] [F3 a relevant authority] in connection with the exercise of any of [F4 his] [F4 the authority's] functions under, or in relation to, Part 5 or 8 may be used by [F5 him] [F5 the authority] in connection with his exercise of any of [F4 his] [F4 the authority's] other functions (whether under, or in relation to, either Part, another Part of this Act or otherwise).

(2) Information obtained by or on behalf of [F6 the Director] [F6 a relevant authority] in connection with the exercise of any of [F7 his] [F7 the authority's] functions (whether under, or in relation to, this Act or otherwise) which are not functions under, or in relation to, Part 5 or 8 may be used by [F8 him] [F8 the authority] in connection with his exercise of any of [F7 his] [F7 the authority's] functions under, or in relation to, Part 5 or 8.

(3) This section applies to information obtained before the coming into force of the section as well as to information obtained after the coming into force of the section.

(4) In this section [F9 "the Director"] [F9 "relevant authority"] means—

(a) the Director of Public Prosecutions;

(b) the Director of the Serious Fraud Office; [F10 or]

(c) the Director of Public Prosecutions for Northern Ireland.]

[F11 (d) Her Majesty's Revenue and Customs; or

(e) the Financial Conduct Authority.]

Status: *Point in time view as at 31/01/2018.*
Changes to legislation: *Proceeds of Crime Act 2002, Cross Heading: England and Wales and Northern Ireland is up to date with all changes known to be in force on or before 23 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

Textual Amendments

F1 S. 435 substituted (1.4.2008) by Serious Crime Act 2007 (c. 27), s. 94(1), **Sch. 8 para. 131**; S.I. 2008/755, art. 2(1)(a) (with arts. 3-14)

F2 Word in s. 435 heading substituted (27.4.2017 for specified purposes, 31.1.2018 for E.W.S. in so far as not already in force) by Criminal Finances Act 2017 (c. 22), s. 58(5)(6), **Sch. 5 para. 77(2)** (with Sch. 5 para. 77(6)); S.I. 2018/78, reg. 5(1)(e)

F3 Words in s. 435(1) substituted (27.4.2017 for specified purposes, 31.1.2018 for E.W.S. in so far as not already in force) by Criminal Finances Act 2017 (c. 22), s. 58(5)(6), **Sch. 5 para. 77(3)(a)** (with Sch. 5 para. 77(6)); S.I. 2018/78, reg. 5(1)(e)

F4 Words in s. 435(1) substituted (27.4.2017 for specified purposes, 31.1.2018 for E.W.S. in so far as not already in force) by Criminal Finances Act 2017 (c. 22), s. 58(5)(6), **Sch. 5 para. 77(3)(b)** (with Sch. 5 para. 77(6)); S.I. 2018/78, reg. 5(1)(e)

F5 Words in s. 435(1) substituted (27.4.2017 for specified purposes, 31.1.2018 for E.W.S. in so far as not already in force) by Criminal Finances Act 2017 (c. 22), s. 58(5)(6), **Sch. 5 para. 77(3)(c)** (with Sch. 5 para. 77(6)); S.I. 2018/78, reg. 5(1)(e)

F6 Words in s. 435(2) substituted (27.4.2017 for specified purposes, 31.1.2018 for E.W.S. in so far as not already in force) by Criminal Finances Act 2017 (c. 22), s. 58(5)(6), **Sch. 5 para. 77(4)(a)** (with Sch. 5 para. 77(6)); S.I. 2018/78, reg. 5(1)(e)

F7 Words in s. 435(2) substituted (27.4.2017 for specified purposes, 31.1.2018 for E.W.S. in so far as not already in force) by Criminal Finances Act 2017 (c. 22), s. 58(5)(6), **Sch. 5 para. 77(4)(b)** (with Sch. 5 para. 77(6)); S.I. 2018/78, reg. 5(1)(e)

F8 Words in s. 435(2) substituted (27.4.2017 for specified purposes, 31.1.2018 for E.W.S. in so far as not already in force) by Criminal Finances Act 2017 (c. 22), s. 58(5)(6), **Sch. 5 para. 77(4)(c)** (with Sch. 5 para. 77(6)); S.I. 2018/78, reg. 5(1)(e)

F9 Words in s. 435(4) substituted (27.4.2017 for specified purposes, 31.1.2018 for E.W.S. in so far as not already in force) by Criminal Finances Act 2017 (c. 22), s. 58(5)(6), **Sch. 5 para. 77(5)(a)** (with Sch. 5 para. 77(6)); S.I. 2018/78, reg. 5(1)(e)

F10 Word in s. 435(4)(b) omitted (27.4.2017 for specified purposes, 31.1.2018 for E.W.S. in so far as not already in force) by virtue of Criminal Finances Act 2017 (c. 22), s. 58(5)(6), **Sch. 5 para. 77(5)(b)** (with Sch. 5 para. 77(6)); S.I. 2018/78, reg. 5(1)(e)

F11 S. 435(4)(d)(e) inserted (27.4.2017 for specified purposes, 31.1.2018 for E.W.S. in so far as not already in force) by Criminal Finances Act 2017 (c. 22), s. 58(5)(6), **Sch. 5 para. 77(5)(c)** (with Sch. 5 para. 77(6)); S.I. 2018/78, reg. 5(1)(e)

436 Disclosure of information to [F12certain [F13Directors][F13authorities]]

(1) Information which is held by or on behalf of a permitted person (whether it was obtained before or after the coming into force of [F14subsection (10)]) may be disclosed to [F15the Director][F15a relevant authority] for the purpose of the exercise by [F16the Director][F16the authority] of [F17his][F17the authority's] functions [F18under, or in relation to, Part 5 or 8].

(2) A disclosure under this section is not to be taken to breach any restriction on the disclosure of information (however imposed).

(3) But nothing in this section authorises the making of a disclosure—

(a) which contravenes the Data Protection Act 1998 (c. 29);

(b) which is prohibited by Part 1 of the Regulation of Investigatory Powers Act 2000 (c. 23).

(4) This section does not affect a power to disclose which exists apart from this section.

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Changes to legislation: *Proceeds of Crime Act 2002, Cross Heading: England and Wales and Northern Ireland is up to date with all changes known to be in force on or before 23 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

(5) These are permitted persons—

(a) a constable;

[F19](b) . . . . . .

(d) the Director of the Serious Fraud Office;

(e) the Commissioners of Inland Revenue;

(f) the Commissioners of Customs and Excise;

(g) the Director of Public Prosecutions;

[F20](ga) . . . . . .

(h) the Director of Public Prosecutions for Northern Ireland.

[[F21](i) the Financial Conduct Authority.**]**

(6) The Secretary of State may by order designate as permitted persons other persons who exercise functions which he believes are of a public nature.

(7) But an order under subsection (6) must specify the functions in respect of which the designation is made.

[[F22](7A) In relation to persons exercising functions in Northern Ireland, any reference in subsection (6) to the Secretary of State must be read as a reference to the Department of Justice in Northern Ireland.**]**

(8) Information must not be disclosed under this section on behalf of the Commissioners of Inland Revenue or on behalf of the Commissioners of Customs and Excise unless the Commissioners concerned authorise the disclosure.

(9) The power to authorise a disclosure under subsection (8) may be delegated (either generally or for a specified purpose)—

(a) in the case of the Commissioners of Inland Revenue, to an officer of the Board of Inland Revenue;

(b) in the case of the Commissioners of Customs and Excise, to a customs officer.

[[F23](10) In this section **[**[F24]"the Director"**]****[**[F24]"relevant authority"**]** has the same meaning as in section 435.**]**

Textual Amendments

F12 Words in s. 436 heading substituted (1.4.2008) by Serious Crime Act 2007 (c. 27), s. 94(1), **Sch. 8 para. 132(2)**; S.I. 2008/755, art. 2(1)(a) (with arts. 3-14)

F13 Word in s. 436 heading substituted (27.4.2017 for specified purposes, 31.1.2018 for E.W.S. in so far as not already in force) by Criminal Finances Act 2017 (c. 22), s. 58(5)(6), **Sch. 5 para. 78(2)** (with Sch. 5 para. 78(6)); S.I. 2018/78, reg. 5(1)(e)

F14 Words in s. 436(1) substituted (1.4.2008) by Serious Crime Act 2007 (c. 27), s. 94(1), **Sch. 8 para. 132(3)(a)**; S.I. 2008/755, art. 2(1)(a) (with arts. 3-14)

F15 Words in s. 436(1) substituted (27.4.2017 for specified purposes, 31.1.2018 for E.W.S. in so far as not already in force) by Criminal Finances Act 2017 (c. 22), s. 58(5)(6), **Sch. 5 para. 78(3)(a)** (with Sch. 5 para. 78(6)); S.I. 2018/78, reg. 5(1)(e)

F16 Words in s. 436(1) substituted (27.4.2017 for specified purposes, 31.1.2018 for E.W.S. in so far as not already in force) by Criminal Finances Act 2017 (c. 22), s. 58(5)(6), **Sch. 5 para. 78(3)(b)** (with Sch. 5 para. 78(6)); S.I. 2018/78, reg. 5(1)(e)

F17 Words in s. 436(1) substituted (27.4.2017 for specified purposes, 31.1.2018 for E.W.S. in so far as not already in force) by Criminal Finances Act 2017 (c. 22), s. 58(5)(6), **Sch. 5 para. 78(3)(c)** (with Sch. 5 para. 78(6)); S.I. 2018/78, reg. 5(1)(e)

F18 Words in s. 436(1) inserted (1.4.2008) by Serious Crime Act 2007 (c. 27), s. 94(1), **Sch. 8 para. 132(3)(b)**; S.I. 2008/755, art. 2(1)(a) (with arts. 3-14)

F19 S. 436(5)(b) repealed (1.4.2008) by Serious Crime Act 2007 (c. 27), s. 94(1), Sch. 8 para. 132(4), **Sch. 14**; S.I. 2008/755, art. 2(1)(a)(d) (with arts. 3-14)

F20 S. 436(5)(ga) repealed (1.4.2008) by Serious Crime Act 2007 (c. 27), s. 94(1), Sch. 8 para. 132(4), **Sch. 14**; S.I. 2008/755, art. 2(1)(a)(d) (with arts. 3-14)

F21 S. 436(5)(i) inserted (27.4.2017 for specified purposes, 31.1.2018 for E.W.S. in so far as not already in force) by Criminal Finances Act 2017 (c. 22), s. 58(5)(6), **Sch. 5 para. 78(4)** (with Sch. 5 para. 78(6)); S.I. 2018/78, reg. 5(1)(e)

F22 S. 436(7A) inserted (12.4.2010) by The Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), art. 1(2), **Sch. 14 para. 69** (with arts. 28-31)

F23 S. 436(10) inserted (1.4.2008) by Serious Crime Act 2007 (c. 27), s. 94(1), **Sch. 8 para. 132(5)**; S.I. 2008/755, art. 2(1)(a) (with arts. 3-14)

F24 Words in s. 436(10) substituted (27.4.2017 for specified purposes, 31.1.2018 for E.W.S. in so far as not already in force) by Criminal Finances Act 2017 (c. 22), s. 58(5)(6), **Sch. 5 para. 78(5)** (with Sch. 5 para. 78(6)); S.I. 2018/78, reg. 5(1)(e)

Commencement Information

I1 S. 436 in force at 24.2.2003 for specified purposes by S.I. 2003/120, art. 2, **Sch.** (with arts. 3, 4) (as amended (20.2.2003) by S.I. 2003/333, art. 14)

I2 S. 436 in force at 24.3.2003 in so far as not already in force by S.I. 2003/333, art. 2, **Sch.**

437 Further disclosure

(1) Subsection (2) applies to information obtained under section 436 from the Commissioners of Inland Revenue or from the Commissioners of Customs and Excise or from a person acting on behalf of either of them.

(2) Such information must not be further disclosed except—

(a) for a purpose connected with the exercise of **[**[F25]the Director's**]**[[F25]a relevant authority's**]** functions **[**[F26]under, or in relation to, Part 5 or 8 **]**, and

(b) with the consent of the Commissioners concerned.

(3) Consent under subsection (2) may be given—

(a) in relation to a particular disclosure;

(b) in relation to disclosures made in circumstances specified or described in the consent.

(4) The power to consent to further disclosure under subsection (2)(b) may be delegated (either generally or for a specified purpose)—

(a) in the case of the Commissioners of Inland Revenue, to an officer of the Board of Inland Revenue;

(b) in the case of the Commissioners of Customs and Excise, to a customs officer.

(5) Subsection (6) applies to information obtained under section 436 from a permitted person other than the Commissioners of Inland Revenue or the Commissioners of Customs and Excise or a person acting on behalf of either of them.

(6) A permitted person who discloses such information to **[**[F27]the Director**]**[[F27]a relevant authority**]** may make the disclosure subject to such conditions as to further disclosure by **[**[F28]the Director**]**[[F28]the authority**]** as the permitted person thinks appropriate; and the information must not be further disclosed in contravention of the conditions.

Status: *Point in time view as at 31/01/2018.*
Changes to legislation: *Proceeds of Crime Act 2002, Cross Heading: England and Wales and Northern Ireland is up to date with all changes known to be in force on or before 23 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

[[F29](7) In this section **[**[F30]"the Director"**]**[F30]"relevant authority"**]** has the same meaning as in section 435.**]**

Textual Amendments

F25 Words in s. 437(2)(a) substituted (27.4.2017 for specified purposes, 31.1.2018 for E.W.S. in so far as not already in force) by Criminal Finances Act 2017 (c. 22), s. 58(5)(6), **Sch. 5 para. 79(2)**; S.I. 2018/78, reg. 5(1)(e)

F26 Words in s. 437(2)(a) inserted (1.4.2008) by Serious Crime Act 2007 (c. 27), s. 94(1), **Sch. 8 para. 133(2)**; S.I. 2008/755, art. 2(1)(a) (with arts. 3-14)

F27 Words in s. 437(6) substituted (27.4.2017 for specified purposes, 31.1.2018 for E.W.S. in so far as not already in force) by Criminal Finances Act 2017 (c. 22), s. 58(5)(6), **Sch. 5 para. 79(3)(a)**; S.I. 2018/78, reg. 5(1)(e)

F28 Words in s. 437(6) substituted (27.4.2017 for specified purposes, 31.1.2018 for E.W.S. in so far as not already in force) by Criminal Finances Act 2017 (c. 22), s. 58(5)(6), **Sch. 5 para. 79(3)(b)**; S.I. 2018/78, reg. 5(1)(e)

F29 S. 437(7) inserted (1.4.2008) by Serious Crime Act 2007 (c. 27), s. 94(1), **Sch. 8 para. 133(3)**; S.I. 2008/755, art. 2(1)(a) (with arts. 3-14)

F30 Words in s. 437(7) substituted (27.4.2017 for specified purposes, 31.1.2018 for E.W.S. in so far as not already in force) by Criminal Finances Act 2017 (c. 22), s. 58(5)(6), **Sch. 5 para. 79(4)**; S.I. 2018/78, reg. 5(1)(e)

Commencement Information

I3 S. 437 in force at 24.2.2003 for specified purposes by S.I. 2003/120, art. 2, **Sch.** (with arts. 3, 4) (as amended (20.2.2003) by S.I. 2003/333, art. 14)

I4 S. 437 in force at 24.3.2003 in so far as not already in force by S.I. 2003/333, art. 2, **Sch.**

438 Disclosure of information by [F31certain [F32Directors][F32authorities]]

(1) Information obtained by or on behalf of **[**[F33]the Director**]**[F33]a relevant authority**]** in connection with the exercise of any of **[**[F34]his**]**[F34]the authority's**]** functions **[**[F35]under, or in relation to, Part 5 or 8**]** may be disclosed by **[**[F36]him**]**[F36]the authority**]** if the disclosure is for the purposes of any of the following—

(a) any criminal investigation which is being or may be carried out, whether in the United Kingdom or elsewhere;

(b) any criminal proceedings which have been or may be started, whether in the United Kingdom or elsewhere;

(c) the exercise of the **[**[F37]Director's**]**[F37]authority's**]** functions **[**[F38]under, or in relation to, Part 5 or 8**]**;

(d) the exercise by the prosecutor of functions under Parts 2, 3 and 4;

(e) the exercise by the Scottish Ministers of their functions under Part 5 **[**[F39]or 8**]** ;

(f) the exercise by a customs officer **[**[F40], an accredited financial investigator**]**[F41]or a constable**]**[F41], a constable or an SFO officer**]** of his functions under Chapter 3 **[**[F42], 3A or 3B**]** of Part 5;

[[F43](fa) the exercise of any functions of **[**[F44]the National Crime Agency**]**[F45]or another **[**[F46]Director**]**[F46]relevant authority**]]** under, or in relation to, Part 5 or 8;**]**

(g) safeguarding national security;

(h) investigations or proceedings outside the United Kingdom which have led or may lead to the making of an external order within the meaning of section 447;

(i) the exercise of a designated function.

[F47](2) . . . . . .

[F47](3) . . . . . .

[F47](4) . . . . . .

(5) If **[**[F48]the Director**][**[F48]a relevant authority**]** makes a disclosure of information for a purpose specified in subsection (1) **[**[F49]he**][**[F49]the authority**]** may make any further disclosure of the information by the person to whom **[**[F49]he**][**[F49]the authority**]** discloses it subject to such conditions as **[**[F49]he**][**[F49]the authority**]** thinks fit.

(6) Such a person must not further disclose the information in contravention of the conditions.

(7) A disclosure under this section is not to be taken to breach any restriction on the disclosure of information (however imposed).

(8) But nothing in this section authorises the making of a disclosure—

(a) which contravenes the Data Protection Act 1998 (c. 29);

(b) which is prohibited by Part 1 of the Regulation of Investigatory Powers Act 2000 (c. 23).

[[F50](8A) This section does not affect a power to disclose which exists apart from this section.

(8B) This section applies to information obtained before the coming into force of subsection (10) as well as to information obtained after the coming into force of that subsection.**]**

(9) A designated function is a function which the Secretary of State thinks is a function of a public nature and which he designates by order.

[[F51](10) In this section **[**[F52]"the Director" **][**[F52]"relevant authority"**]** has the same meaning as in section 435.**]**

Textual Amendments

F31 Words in s. 438 heading substituted (1.4.2008) by Serious Crime Act 2007 (c. 27), s. 94(1), **Sch. 8 para. 134(2)**; S.I. 2008/755, art. 2(1)(a) (with arts. 3-14)

F32 Word in s. 438 heading substituted (27.4.2017 for specified purposes, 31.1.2018 for E.W.S. in so far as not already in force) by Criminal Finances Act 2017 (c. 22), s. 58(5)(6), **Sch. 5 para. 80(2)** (with Sch. 5 para. 80(6)); S.I. 2018/78, reg. 5(1)(e)

F33 Words in s. 438(1) substituted (27.4.2017 for specified purposes, 31.1.2018 for E.W.S. in so far as not already in force) by Criminal Finances Act 2017 (c. 22), s. 58(5)(6), **Sch. 5 para. 80(3)(a)(i)** (with Sch. 5 para. 80(6)); S.I. 2018/78, reg. 5(1)(e)

F34 Words in s. 438(1) substituted (27.4.2017 for specified purposes, 31.1.2018 for E.W.S. in so far as not already in force) by Criminal Finances Act 2017 (c. 22), s. 58(5)(6), **Sch. 5 para. 80(3)(a)(ii)** (with Sch. 5 para. 80(6)); S.I. 2018/78, reg. 5(1)(e)

F35 Words in s. 438(1) inserted (1.4.2008) by Serious Crime Act 2007 (c. 27), s. 94(1), **Sch. 8 para. 134(3)(a)**; S.I. 2008/755, art. 2(1)(a) (with arts. 3-14)

F36 Words in s. 438(1) substituted (27.4.2017 for specified purposes, 31.1.2018 for E.W.S. in so far as not already in force) by Criminal Finances Act 2017 (c. 22), s. 58(5)(6), **Sch. 5 para. 80(3)(a)(iii)** (with Sch. 5 para. 80(6)); S.I. 2018/78, reg. 5(1)(e)

F37 Word in s. 438(1)(c) substituted (27.4.2017 for specified purposes, 31.1.2018 for E.W.S. in so far as not already in force) by Criminal Finances Act 2017 (c. 22), s. 58(5)(6), **Sch. 5 para. 80(3)(b)** (with Sch. 5 para. 80(6)); S.I. 2018/78, reg. 5(1)(e)

F38 Words in s. 438(1)(c) inserted (1.4.2008) by Serious Crime Act 2007 (c. 27), s. 94(1), **Sch. 8 para. 134(3)(b)**; S.I. 2008/755, art. 2(1)(a) (with arts. 3-14)

F39 Words in s. 438(1)(e) inserted (27.4.2017 for specified purposes, 31.1.2018 for E.W.S. in so far as not already in force) by Criminal Finances Act 2017 (c. 22), s. 58(5)(6), **Sch. 5 para. 80(3)(c)** (with Sch. 5 para. 80(6)); S.I. 2018/78, reg. 5(1)(e)

F40 Words in s. 438(1)(f) inserted (6.4.2008) by Serious Crime Act 2007 (c. 27), s. 94(1), **Sch. 11 para. 14**; S.I. 2008/755, art. 17(1)(f)

F41 Words in s. 438(1)(f) substituted (27.4.2017 for specified purposes, 31.1.2018 for E.W.S. in so far as not already in force) by Criminal Finances Act 2017 (c. 22), s. 58(5)(6), **Sch. 5 para. 80(3)(d)(i)** (with Sch. 5 para. 80(6)); S.I. 2018/78, reg. 5(1)(e)

F42 Words in s. 438(1)(f) inserted (27.4.2017 for specified purposes, 31.1.2018 for E.W.S. in so far as not already in force) by Criminal Finances Act 2017 (c. 22), s. 58(5)(6), **Sch. 5 para. 80(3)(d)(ii)** (with Sch. 5 para. 80(6)); S.I. 2018/78, reg. 5(1)(e)

F43 S. 438(1)(fa) inserted (1.4.2008) by Serious Crime Act 2007 (c. 27), s. 94(1), **Sch. 8 para. 134(3)(c)**; S.I. 2008/755, art. 2(1)(a) (with arts. 3-14)

F44 Words in s. 438(1)(fa) substituted (7.10.2013) by Crime and Courts Act 2013 (c. 22), s. 61(2), **Sch. 8 para. 146**; S.I. 2013/1682, art. 3(v)

F45 Words in s. 438(1)(fa) substituted (27.3.2014) by The Public Bodies (Merger of the Director of Public Prosecutions and the Director of Revenue and Customs Prosecutions) Order 2014 (S.I. 2014/834), art. 1(1), **Sch. 2 para. 29**

F46 Words in s. 438(1)(fa) substituted (27.4.2017 for specified purposes, 31.1.2018 for E.W.S. in so far as not already in force) by Criminal Finances Act 2017 (c. 22), s. 58(5)(6), **Sch. 5 para. 80(3)(e)** (with Sch. 5 para. 80(6)); S.I. 2018/78, reg. 5(1)(e)

F47 S. 438(2)-(4) repealed (1.4.2008) by Serious Crime Act 2007 (c. 27), s. 94(1), Sch. 8 para. 134(4), **Sch. 14**; S.I. 2008/755, art. 2(1)(a)(d) (with arts. 3-14)

F48 Words in s. 438(5) substituted (27.4.2017 for specified purposes, 31.1.2018 for E.W.S. in so far as not already in force) by Criminal Finances Act 2017 (c. 22), s. 58(5)(6), **Sch. 5 para. 80(4)(a)** (with Sch. 5 para. 80(6)); S.I. 2018/78, reg. 5(1)(e)

F49 Words in s. 438(5) substituted (27.4.2017 for specified purposes, 31.1.2018 for E.W.S. in so far as not already in force) by Criminal Finances Act 2017 (c. 22), s. 58(5)(6), **Sch. 5 para. 80(4)(b)** (with Sch. 5 para. 80(6)); S.I. 2018/78, reg. 5(1)(e)

F50 S. 438(8A)(8B) inserted (1.4.2008) by Serious Crime Act 2007 (c. 27), s. 94(1), **Sch. 8 para. 134(5)**; S.I. 2008/755, art. 2(1)(a) (with arts. 3-14)

F51 S. 438(10) inserted (1.4.2008) by Serious Crime Act 2007 (c. 27), s. 94(1), **Sch. 8 para. 134(6)**; S.I. 2008/755, art. 2(1)(a) (with arts. 3-14)

F52 Words in s. 438(10) substituted (27.4.2017 for specified purposes, 31.1.2018 for E.W.S. in so far as not already in force) by Criminal Finances Act 2017 (c. 22), s. 58(5)(6), **Sch. 5 para. 80(5)** (with Sch. 5 para. 80(6)); S.I. 2018/78, reg. 5(1)(e)

Commencement Information

I5 S. 438 in force at 24.2.2003 for specified purposes by S.I. 2003/120, art. 2, **Sch.** (with arts. 3, 4) (as amended (20.2.2003) by S.I. 2003/333, art. 14)

I6 S. 438 in force at 24.3.2003 in so far as not already in force by S.I. 2003/333, art. 2, **Sch.**

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