



Serious Crime Act 2007

2007 CHAPTER 27

PART 1

SERIOUS CRIME PREVENTION ORDERS

General

2 Involvement in serious crime: England and Wales orders

- (1) For the purposes of this Part, a person has been involved in serious crime in England and Wales if he—
 - (a) has committed a serious offence in England and Wales;
 - (b) has facilitated the commission by another person of a serious offence in England and Wales; or
 - (c) has conducted himself in a way that was likely to facilitate the commission by himself or another person of a serious offence in England and Wales (whether or not such an offence was committed).
- (2) In this Part “a serious offence in England and Wales” means an offence under the law of England and Wales which, at the time when the court is considering the application or matter in question—
 - (a) is specified, or falls within a description specified, in Part 1 of Schedule 1; or
 - (b) is one which, in the particular circumstances of the case, the court considers to be sufficiently serious to be treated for the purposes of the application or matter as if it were so specified.
- (3) For the purposes of this Part, involvement in serious crime in England and Wales is any one or more of the following—
 - (a) the commission of a serious offence in England and Wales;
 - (b) conduct which facilitates the commission by another person of a serious offence in England and Wales;

Status: This is the original version (as it was originally enacted).

- (c) conduct which is likely to facilitate the commission, by the person whose conduct it is or another person, of a serious offence in England and Wales (whether or not such an offence is committed).
- (4) For the purposes of section 1(1)(a), a person has been involved in serious crime elsewhere than in England and Wales if he—
- (a) has committed a serious offence in a country outside England and Wales;
 - (b) has facilitated the commission by another person of a serious offence in a country outside England and Wales; or
 - (c) has conducted himself in a way that was likely to facilitate the commission by himself or another person of a serious offence in a country outside England and Wales (whether or not such an offence was committed).
- (5) In subsection (4) “a serious offence in a country outside England and Wales” means an offence under the law of a country outside England and Wales which, at the time when the court is considering the application or matter in question—
- (a) would be an offence under the law of England and Wales if committed in or as regards England and Wales; and
 - (b) either—
 - (i) would be an offence which is specified, or falls within a description specified, in Part 1 of Schedule 1 if committed in or as regards England and Wales; or
 - (ii) is conduct which, in the particular circumstances of the case, the court considers to be sufficiently serious to be treated for the purposes of the application or matter as if it meets the test in sub-paragraph (i).
- (6) The test in subsection (4) is to be used instead of the test in section 3(1) in deciding for the purposes of section 1(1)(a) whether a person has been involved in serious crime in Northern Ireland.
- (7) An act punishable under the law of a country outside the United Kingdom constitutes an offence under that law for the purposes of subsection (5), however it is described in that law.