

*These notes refer to the Policing and Crime Act 2009
(c.26) which received Royal Assent on 12 November 2009*

POLICING AND CRIME ACT 2009

EXPLANATORY NOTES

TERRITORIAL EXTENT AND APPLICATION

Part 8 – Miscellaneous **Chapter 2 – Other**

Border controls

Section 99 Powers in relation to cash.

551. **Section 99** deals with powers available to detect cash at the border. The aim of this section is the prevention of money laundering by means of movement of cash into and out of the UK.
552. Subsection (1) inserts new section 164A into CEMA. The new section clarifies those CEMA powers available to officers at the border to ask questions about, and to search for, cash that is recoverable property or is intended by any person for use in unlawful conduct (as defined in subsections 289(6) and (7) of the Proceeds of Crime Act 2002). The new section also ensures compliance with the Cash Control Regulation on controls of cash entering or leaving the Community (Regulation (EC) No. 1889/2005 of the European Parliament and of the Council).
553. Subsections (2) and (3) amends section 4(2) of the Finance (No. 2) Act 1992 to make clear that the powers listed in section 4(3) of that Act apply to cash which is recoverable property or intended for use in unlawful conduct as well as to goods.