



# Policing and Crime Act 2017

## 2017 CHAPTER 3

### PART 9

#### MISCELLANEOUS AND GENERAL

### CHAPTER 1

#### MISCELLANEOUS

#### *NCA powers*

#### **158 Powers of NCA officers in relation to customs matters**

- (1) The Crime and Courts Act 2013 is amended as follows.
- (2) In section 9 (Director General: customs powers of Commissioners & operational powers)—
  - (a) in subsection (2), after paragraph (b) insert—

“(ba) the powers of a general customs official;”;
  - (b) in subsection (8), in the definition of “operational power”, after paragraph (b) insert—

“(ba) a power of a general customs official;”.
- (3) In section 10 (operational powers of other NCA officers), in subsection (1) after paragraph (b) insert—

“(ba) the powers of a general customs official;”.
- (4) In Schedule 5 (police, customs and immigration powers), after Part 5 (designation: powers of officers of Revenue and Customs) insert—

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*Status: This is the original version (as it was originally enacted).*

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## “PART 5A

### DESIGNATIONS: POWERS OF GENERAL CUSTOMS OFFICIALS

#### *NCA officers*

- 18A (1) If an NCA officer is designated as a person having the powers of a general customs official, the NCA officer has, in relation to any customs matter, the same powers as a general customs official would have.
- (2) But that is subject to any limitation included in the designation.

#### *Powers only exercisable in relation to customs matters*

- 18B If a power of a general customs official is exercisable both—
- (a) in relation to a customs matter, and
  - (b) in relation to any other matter,
- the power is exercisable by a designated officer only in relation to the customs matter.

#### *Powers exercisable under warrant*

- 18C (1) This paragraph applies to an enactment if it provides for the issuing of warrants which authorise a general customs official to exercise any power in relation to a customs matter.
- (2) For the purpose of enabling a designated officer to exercise that power in relation to a customs matter, the enactment has effect as if the designated officer were a general customs official.”
- (5) In paragraph 26 of that Schedule (modification of references), after paragraph (c) insert—
- “(ca) a power of a general customs official is exercisable by any NCA officer, a reference to a general customs official in any enactment which relates to that power is to be taken to be, or to include, a reference to any NCA officer by whom that power is exercisable;”.
- (6) In paragraph 27 of that Schedule (power to make further provision), in sub-paragraph (2), after paragraph (d)(ii) insert—
- “(iia) one or more grades of, or pay scales applicable to, general customs officials;”.
- (7) In paragraph 28 of that Schedule (functions of third parties relating to constables etc: extension to NCA), in sub-paragraph (2), after paragraph (c) insert—
- “(ca) a general customs official,”.