

2008 No. 219 (C. 5)

DISCLOSURE OF INFORMATION

INVESTIGATORY POWERS

PROCEEDS OF CRIME

PUBLIC AUDIT

REVENUE AND CUSTOMS

SERIOUS CRIME PREVENTION ORDERS

The Serious Crime Act 2007 (Commencement No.1) Order 2008

Made - - - - *5th February 2008*

The Secretary of State, in exercise of the powers conferred on her by section 94(1) of the Serious Crime Act 2007(a), makes the following Order:

1.—(1) This Order may be cited as the Serious Crime Act 2007 (Commencement No. 1) Order 2008.

(2) In this Order “the Act” means the Serious Crime Act 2007.

2. The following provisions of the Act shall come into force on 15th February 2008—

- (a) section 85 (disclosure of information by Revenue and Customs);
- (b) section 88 together with Schedule 12 (extension of investigatory powers of Revenue and Customs);
- (c) section 92 (repeals and revocations) in so far as it relates to the entries in Schedule 14 in paragraph (d); and
- (d) in Schedule 14 (repeals and revocations) the entries relating to—
 - (i) section 108(1) of the Police Act 1997(b);
 - (ii) sections 56(1) and 81(1) of the Regulation of Investigatory Powers Act 2000(c); and
 - (iii) paragraphs 1 and 11 of Schedule 2 to the Commissioners for Revenue and Customs Act 2005(d).

(a) 2007 c. 27.
(b) 1997 c. 50.
(c) 2000 c. 23.
(d) 2005 c. 11.

3. The following provisions of the Act shall come into force on 1st March 2008—
- (a) section 24(9) and (10) (order making powers relating to appeals procedure);
 - (b) section 37 (functions of applicant authorities) in so far as it relates to the provisions in paragraph (c);
 - (c) paragraphs 4 and 18 of Schedule 2 (Code for Crown Prosecutors and Code for Public Prosecutors);
 - (d) section 40(1), (2) and (4) (order making powers relating to authorised monitors);
 - (e) section 68(8) (interpretation and power to specify an anti-fraud organisation);
 - (f) section 71(1), (2), (4) and (5) (code of practice for disclosure of information to prevent fraud);
 - (g) section 73 (data matching) in so far as it relates to the provisions in paragraphs (h) to (j);
 - (h) paragraphs 1 and 2 of Schedule 7 in so far as they insert new section 32G(1), (3) and (4) of the Audit Commission Act 1998(a) (code of data matching practice);
 - (i) paragraph 4 of Schedule 7 in so far as it inserts new section 64G(1), (3) and (4) of the Public Audit (Wales) Act 2004(b) (code of data matching practice);
 - (j) paragraph 6 of Schedule 7 in so far as it inserts new Article 4G(1), (3) and (4) of the Audit and Accountability (Northern Ireland) Order 2003(c) (code of data matching practice);
 - (k) section 74(1) (order making power relating to the abolition of the Assets Recovery Agency);
 - (l) section 74(2)(d) and (g) (transfer of investigation functions and amendments to other enactments) in so far as it relates to the provisions in paragraphs (m) and (n);
 - (m) paragraph 115 of Schedule 8 in so far as it inserts new section 377A(1) to (5) and (10) of the Proceeds of Crime Act 2002(d) (code of practice of Attorney General or Advocate General for Northern Ireland);
 - (n) paragraph 169 of Schedule 8 (new section 2A of the Serious Organised Crime and Police Act 2005(e)) for the purpose of the preparation of the Serious Organised Crime Agency's annual plan under section 6 of the Serious Organised Crime and Police Act 2005 for the financial year commencing 1st April 2008; and
 - (o) section 74(3) together with Schedule 9 (transfers to the Serious Organised Crime Agency and the National Policing Improvement Agency).

Home Office
5th February 2008

Vernon Coaker
Parliamentary Under Secretary of State

(a) 1998 c. 18.
(b) 2004 c. 23.
(c) S.I. 2003/418 (N.I. 5).
(d) 2002 c. 29.
(e) 2005 c. 15.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force certain provisions of the Serious Crime Act 2007. The provisions listed in article 2 are brought into force on 15th February 2008. The provisions listed in article 3 are brought into force on 1st March 2008. Certain provisions in both articles are only brought into force for certain purposes.

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