
EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Proceeds of Crime Act 2002 (References to Financial Investigators) Order 2009 (“the 2009 Order”) which provides that references to accredited financial investigators in the Proceeds of Crime Act 2002 (“the Act”), as amended by the Serious Crime Act 2007 are to be read as references to accredited financial investigators within the descriptions specified in the 2009 Order.

Article 4 substitutes Schedule 1 to the 2009 Order for Schedule 1 as set out in the Schedule to this Order. The Order sets out in the first column of the Schedule the powers that can be exercised by an accredited financial investigator under the Act. The second column of the Schedule sets out who is an accredited financial investigator for the purpose of the exercise of those powers.

The following changes of substance have been made by substitution of the new Schedule 1:

Members of staff of the following bodies have been added to the second column of the Schedule for the purposes of exercising powers set out in the first column of the Schedule: the Counter Fraud and Security Management Service, the Department of Health, the Department for Regional Development in Northern Ireland, the Gangmasters Licensing Authority, the Home Office, the Intellectual Property Office, a local authority, the Serious Fraud Office and the Transport for London.

References to the Department for Business, Enterprise and Regulatory Reform have been substituted with references to the Department for Business, Innovation and Skills.

References to the Department for Business, Enterprise and Regulatory Reform have been deleted from column 2 in relation to their accredited financial investigators in Northern Ireland.

References to the Department of Health, Social Services and Public Safety in Northern Ireland have been substituted with references to the HSC (Health and Social Care) Business Services Organisation.

References to the Environment and Heritage Service in Northern Ireland have been deleted and, where appropriate, substituted for the Department of the Environment in Northern Ireland.

The minimum level of grade required by an accredited member of staff to exercise the relevant powers set out in the first column has been changed for the following persons/bodies: an immigration officer, the Counter Fraud and Security Management Service, the Department of the Environment in Northern Ireland, the Financial Services Authority, the Office of Fair Trading and the Serious Fraud Office.