

---

STATUTORY INSTRUMENTS

---

**2015 No. 759**

**The Proceeds of Crime Act 2002 (Application of  
Police and Criminal Evidence Act 1984) Order 2015**

**Application of section 15 of PACE**

2.—(1) Section 15 of PACE (search warrants—safeguards)(1) applies to search and seizure warrants sought for the purposes of a confiscation investigation, a money laundering investigation or a detained cash investigation, with the modifications made by this article.

(2) For subsection (1), substitute—

“(1) This section and section 16 below have effect in relation to the issue to an appropriate officer (within the meaning of Part 8 of the Proceeds of Crime Act 2002 (investigations)) of a search and seizure warrant under section 352 of the Proceeds of Crime Act 2002(2) for the purposes of a confiscation investigation, a money laundering investigation or a detained cash investigation; and an entry on or search of premises under such a warrant is unlawful unless the warrant complies with this section and is executed in accordance with section 16.”.

(3) In subsection (2)—

- (a) for “a constable” substitute “an appropriate officer”;
- (b) at the end of paragraph (a)(i) insert “and”;
- (c) in paragraph (a)(ii), for “enactment” substitute “statutory power”;
- (d) at the end of paragraph (a)(ii) omit “and”; and
- (e) omit the rest of the subsection.

(4) Omit subsection (2A).

(5) In subsection (3) omit the words “and supported by an information in writing”.

(6) In subsection (4)—

- (a) for “constable” substitute “appropriate officer”; and
- (b) omit the words “justice of the peace or”.

(7) In subsection (5) omit the words after “one occasion only”.

(8) Omit subsection (5A).

(9) In subsection (6)—

- (a) in paragraph (a)(iii), for “enactment” substitute “statutory power”;
- (b) for paragraph (a)(iv) substitute—  
“(iv) the premises to be searched; and”;

---

(1) Section 15 is amended by sections 113 and 114 of the Serious Organised Crime and Police Act 2005 (c. 15) and S.I. 2005/3496.  
(2) Section 352 is amended by sections 76 and 80 of, and paragraph 105 of Schedule 8 and paragraph 7 of Schedule 10 to, the Serious Crime Act 2007 (c. 27), paragraph 10 of Schedule 19 to the Coroners and Justice Act 2009 (c. 25), paragraph 137 of Schedule 8 to, and paragraph 31 of Schedule 21 to, the Crime and Courts Act 2013 (c. 22), paragraph 12 of Schedule 48 to the Finance Act 2013 (c. 29) and S.I. 2014/834.

---

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

---

- (c) in paragraph (b)—
  - (i) at the beginning insert “in the case of a warrant which is issued because the judge is satisfied that the requirement in section 352(6)(a) of the Proceeds of Crime Act 2002 is satisfied (production order made and not complied with), ”;
  - (ii) for “articles or persons” substitute “material”.
- (10) In subsection (7) omit the words after “of a warrant”.