
STATUTORY INSTRUMENTS

2017 No. 74

PROCEEDS OF CRIME

**The Proceeds of Crime Act 2002 (References to
Financial Investigators) (Amendment) Order 2017**

<i>Made</i>	- - - -	<i>30th January 2017</i>
<i>Laid before Parliament</i>		<i>1st February 2017</i>
<i>Coming into force</i>	- -	<i>10th March 2017</i>

The Secretary of State makes this Order in exercise of the powers conferred by sections 453 and 459(2) of the Proceeds of Crime Act 2002⁽¹⁾.

Citation and commencement

1. This Order may be cited as the Proceeds of Crime Act 2002 (References to Financial Investigators) (Amendment) Order 2017, and comes into force on 10th March 2017.

Interpretation

2. In this Order—

“the 2009 Order” means the Proceeds of Crime Act 2002 (References to Financial Investigators) Order 2009⁽²⁾;

“the 2015 Order” means the Proceeds of Crime Act 2002 (References to Financial Investigators) (England and Wales) Order 2015⁽³⁾.

Amendments to the 2009 Order

3. The 2009 Order is amended as set out in Schedule 1 to this Order.

Amendments to the 2015 Order

4. The 2015 Order is amended as set out in Schedule 2 to this Order.

(1) 2002 c. 29. Section 453 was amended by section 81(1)(a) and (1)(b) of the Serious Crime Act 2007 (c. 27).
(2) S.I. 2009/975, amended by S.I. 2009/2707, 2011/2085, 2013/472, 2013/755, 2013/2318, 2014/467, 2014/549 and 2015/1853, and revoked in relation to England and Wales by S.I. 2015/1853.
(3) S.I. 2015/1853.

30th January 2017

Ben Wallace
Minister of State
Home Office

SCHEDULE 1

Article 3

Amendments to the 2009 Order

1. Schedule 1 to the 2009 Order is amended as follows.
2. In the entry relating to section 191(2)(c), in column 2—
 - (a) omit paragraph (a);
 - (b) in paragraph (c)—
 - (i) in sub-paragraph (i) for “the Department of Agriculture and Rural Development in Northern Ireland” substitute “the Department for Agriculture, Environment and Rural Affairs in Northern Ireland”;
 - (ii) omit sub-paragraph (ii);
 - (iii) in sub-paragraph (v) for “the Department for Social Development in Northern Ireland” substitute “the Department for Communities in Northern Ireland”;
 - (iv) after sub-paragraph (vi) insert—

“(via) the Food Standards Agency;”;
 - (v) omit sub-paragraph (viii);
 - (vi) after sub-paragraph (x) insert—

“(xa) the Ministry of Defence;
(xb) the Northern Ireland Environment Agency;”;
 - (vii) omit sub-paragraph (xi); and
 - (viii) after sub-paragraph (xvi) insert—

“(xvia) the Security Industry Authority;”.
3. Omit the entry relating to section 194(3).
4. In the appropriate place insert—

“Section 195A(1)(c)(4) (sections 195B to 195S: An accredited financial investigator who is—

meaning of appropriate officer)

	(a) an NCA officer; or
	(b) a member of staff of—
	(i) the Police Service of Northern Ireland (other than a constable);
	(ii) the Financial Conduct Authority;
	(iii) the Northern Ireland Environment Agency; or
	(iv) the Serious Fraud Office.

Section 195G(3)(c) (appropriate approval) An accredited financial investigator who is—

	(a) an NCA officer not below grade 2;
--	---------------------------------------

(4) Sections 195A to 195S were inserted by section 57(1) and (2) of the Policing and Crime Act 2009 (c. 26). Section 195A was amended by section 55(3) and (4)(c) of the Crime and Courts Act 2013 (c.22).

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

- (b) a constable of the Police Service of Northern Ireland who is not below the rank of Inspector; or
 - (c) a member of staff of—
 - (i) the Financial Conduct Authority and is not below the grade of Manager;
 - (ii) the Northern Ireland Environment Agency and is not below the grade of Deputy Principal or Senior Scientific Officer; or
 - (iii) the Serious Fraud Office and is not below grade 7.”.
-

5. In the entry relating to section 216(3)(c), in column 2—

- (a) omit paragraph (a);
- (b) in paragraph (b)—
 - (i) omit sub-paragraph (i);
 - (ii) in sub-paragraph (ii) for “the Department of the Environment in Northern Ireland” substitute “the Department for Agriculture, Environment and Rural Affairs in Northern Ireland”;
 - (iii) in sub-paragraph (v) for “the Department for Social Development in Northern Ireland” substitute “the Department for Communities in Northern Ireland”;
 - (iv) after sub-paragraph (vi) insert—
 - “(via) the Food Standards Agency and is not below grade 7;”;
 - (v) omit sub-paragraph (viii);
 - (vi) after sub-paragraph (x) insert—
 - “(xa) the Ministry of Defence and is not below the grade of B2;
 - (xb) the Northern Ireland Environment Agency and is not below the grade of Deputy Principal or Senior Scientific Officer;”;
 - (vii) omit sub-paragraph (xi); and
 - (viii) after sub-paragraph (xv) insert—
 - “(xva) the Security Industry Authority and is not below the grade of Investigations Manager;”.

6. In the entry relating to section 290(4)(c), in column 2 in the entry relating to Northern Ireland—

- (a) omit paragraph (b);
- (b) in paragraph (bb) for “grade 3” substitute “grade 2”;
- (c) in paragraph (c)—
 - (i) in sub-paragraph (i) for “the Department of the Environment in Northern Ireland” substitute “the Department for Agriculture, Environment and Rural Affairs in Northern Ireland”;
 - (ii) in sub-paragraph (iv) for “the Department of Social Development in Northern Ireland” substitute “the Department for Communities in Northern Ireland”;
 - (iii) after sub-paragraph (v) insert—

- “(va) the Food Standards Agency and is not below grade 7;”;
 - (iv) after sub-paragraph (vii) insert—
 - “(viiia) the Ministry of Defence and is not below the grade of B2;”;
 - (v) omit sub-paragraph (viii);
 - (vi) after sub-paragraph (viii) insert—
 - “(viiiia) the Post Office and is not below the grade of broadband 3;”;
 - (vii) after sub-paragraph (viii) insert—
 - “(viiib) the Royal Mail and is not below the grade of broadband 3;”.
- 7. In the entry relating to section 303A(1), in column 2 in the entry relating to Northern Ireland—
 - (a) omit paragraph (a);
 - (b) in paragraph (b)—
 - (i) in sub-paragraph (i) for “the Department of the Environment in Northern Ireland” substitute “the Department for Agriculture, Environment and Rural Affairs in Northern Ireland”;
 - (ii) in sub-paragraph (iv) for “the Department for Social Development in Northern Ireland” substitute “the Department for Communities in Northern Ireland”;
 - (iii) after sub-paragraph (v) insert—
 - “(va) the Food Standards Agency;”;
 - (iv) after sub-paragraph (vii) insert—
 - “(viiia) the Ministry of Defence;
 - (viiib) the Northern Ireland Environment Agency;”;
 - (v) omit sub-paragraph (viii);
 - (vi) after sub-paragraph (ix) insert—
 - “(ixaa) the Post Office;”;
 - (vii) after sub-paragraph (ix) insert—
 - “(ixb) the Royal Mail;”.
- 8. In the entry relating to section 352(7), in column 2 in the entry relating to Northern Ireland—
 - (a) omit paragraph (a);
 - (b) in paragraph (b)—
 - (i) in sub-paragraph (i) for “the Department of the Environment in Northern Ireland” substitute “the Department for Agriculture, Environment and Rural Affairs in Northern Ireland”;
 - (ii) in sub-paragraph (iv) for “the Department for Social Development in Northern Ireland” substitute “the Department for Communities in Northern Ireland”;
 - (iii) after sub-paragraph (v) insert—
 - “(va) the Food Standards Agency;”;
 - (iv) omit sub-paragraph (viii);
 - (v) after sub-paragraph (ix) insert—
 - “(ixaa) the Post Office;”;
 - (vi) after sub-paragraph (ix) insert—
 - “(ixb) the Royal Mail;”;

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

- (vii) after sub-paragraph (x) insert—
 - “(xa) the Security Industry Authority;”.
- 9. In the entry relating to section 353(11), in column 2 in the entry relating to Northern Ireland—
 - (a) omit paragraph (a);
 - (b) in paragraph (b)—
 - (i) in sub-paragraph (i) for “the Department of the Environment in Northern Ireland” substitute “the Department for Agriculture, Environment and Rural Affairs in Northern Ireland”;
 - (ii) in sub-paragraph (iv) for “the Department for Social Development in Northern Ireland” substitute “the Department for Communities in Northern Ireland”;
 - (iii) after sub-paragraph (v) insert—
 - “(va) the Food Standards Agency;”;
 - (iv) omit sub-paragraph (viii);
 - (v) after sub-paragraph (ix) insert—
 - “(ixaa) the Post Office;”;
 - (vi) after sub-paragraph (ixa) insert—
 - “(ixb) the Royal Mail;”;
 - (vii) after sub-paragraph (x) insert—
 - “(xa) the Security Industry Authority;”.
- 10. In the entry relating to section 378(1)(b), in column 2 in the entry relating to Northern Ireland—
 - (a) omit paragraph (a);
 - (b) in paragraph (b)—
 - (i) in sub-paragraph (i) for “the Department of Agriculture and Rural Development in Northern Ireland” substitute “the Department for Agriculture, Environment and Rural Affairs in Northern Ireland”;
 - (ii) omit sub-paragraph (ii);
 - (iii) in sub-paragraph (v) for “the Department for Social Development in Northern Ireland” substitute “the Department for Communities in Northern Ireland”;
 - (iv) after sub-paragraph (vi) insert—
 - “(via) the Food Standards Agency;”;
 - (v) omit sub-paragraph (viii);
 - (vi) after sub-paragraph (ix) insert—
 - “(ixa) the Intellectual Property Office;”;
 - (vii) after sub-paragraph (x) insert—
 - “(xa) the Ministry of Defence;
 - (xb) the Northern Ireland Environment Agency;”;
 - (viii) omit sub-paragraph (xi); and
 - (ix) after sub-paragraph (xvi) insert—
 - “(xvia) the Security Industry Authority;”.

11. In the entry relating to section 378(2)(d), in column 2 in the entry relating to Northern Ireland—

- (a) omit paragraph (a);
- (b) in paragraph (b)—
 - (i) omit sub-paragraph (i);
 - (ii) in sub-paragraph (ii) for “the Department of the Environment in Northern Ireland” substitute “the Department for Agriculture, Environment and Rural Affairs in Northern Ireland”;
 - (iii) in sub-paragraph (v) for “the Department for Social Development in Northern Ireland” substitute “the Department for Communities in Northern Ireland”;
 - (iv) after sub-paragraph (vi) insert—
 - “(via) the Food Standards Agency and is not below Grade 7;”;
 - (v) omit sub-paragraph (viii);
 - (vi) after sub-paragraph (ix) insert—
 - “(ixa) the Intellectual Property Office and is not below the grade of Head of Intelligence at Copyright Enforcement Directorate C2 or equivalent;”;
 - (vii) after sub-paragraph (x) insert—
 - “(xa) the Ministry of Defence and is not below the grade of B2;
 - (xb) the Northern Ireland Environment Agency and is not below the grade of Deputy Principal or Senior Scientific Officer;”;
 - (viii) omit sub-paragraph (xi); and
 - (ix) after sub-paragraph (xv) insert—
 - “(xva) the Security Industry Authority and is not below the grade of Investigations Manager;”.

12. In the appropriate place insert—

“Section 378(3A)(ab)(5) (appropriate officers In relation to Northern Ireland, an accredited for the purposes of detained cash financial investigator who is— investigations)

- (a) an NCA officer; or
- (b) a member of staff of—
 - (i) the Department for Agriculture, Environment and Rural Affairs in Northern Ireland;
 - (ii) the Department for Communities in Northern Ireland
 - (iii) the Department for Environment, Food and Rural Affairs;
 - (iv) the Department for Regional Development in Northern Ireland and is not below the grade of Deputy Principal;

(5) Section 378(3A) was inserted by the Serious Crime Act 2007 (c. 27), section 77 and Schedule 10, paragraphs 1 and 13. Paragraph (ab) was inserted by section 80(7) of that Act.

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

- (v) the Driver and Vehicle Standards Agency;
- (vi) the Financial Conduct Authority;
- (vii) the Food Standards Agency;
- (viii) the Gangmasters Labour and Abuse Authority;
- (ix) the Home Office;
- (x) the Ministry of Defence;
- (xi) the Northern Ireland Environment Agency;
- (xii) the Police Service of Northern Ireland;
- (xiii) the Prudential Regulation Authority;
- (xiv) the Royal Mail;
- (xv) the Rural Payments Agency; or
- (xvi) the Serious Fraud Office.

Section 378(3AA)(b)(6)(senior appropriate officer) In relation to Northern Ireland, an accredited financial investigator who is—

- (a) an NCA officer not below grade 2; or
- (b) a member of staff of—
 - (i) the Department for Agriculture, Environment and Rural Affairs in Northern Ireland and is not below the grade of Deputy Principal or Senior Scientific Officer;
 - (ii) the Department for Communities in Northern Ireland and is not below the grade of Deputy Principal;
 - (iii) the Department for Environment, Food and Rural Affairs and is not below the grade of Senior Executive Officer;
 - (iv) the Department for Regional Development in Northern Ireland and is not below the grade of Deputy Principal;
 - (v) the Driver and Vehicle Standards Agency and is not below grade 7;
 - (vi) the Financial Conduct Authority and is not below the grade of Manager;

(6) Section 378(3AA)(b) was inserted by the Crime and Courts Act 2013 (c. 22), section 49(b) and Schedule 19, Part 2, paragraphs 24 and 27(1) and (2).

- (vii) the Food Standards Agency and is not below grade 7;
 - (viii) the Gangmasters Labour and Abuse Authority and is not below the grade of Enforcement Manager;
 - (ix) the Home Office and is not below the grade of Senior Executive Officer;
 - (x) the Ministry of Defence and is not below the grade of B2;
 - (xi) the Northern Ireland Environment Agency and is not below the grade of Deputy Principal or Senior Scientific Officer;
 - (xii) the Prudential Regulation Authority and is not below the grade of Manager;
 - (xiii) the Royal Mail and is not below the grade of broadband 3;
 - (xiv) the Rural Payments Agency and is not below the grade of Senior Executive Officer; or
 - (xv) the Serious Fraud Office and is not below grade 7.”.
-

13. Omit the entry relating to section 378(3B).

14. In the entry relating to section 378(4)(a), in column 2 in the entry relating to Northern Ireland—

- (a) omit paragraph (a);
- (b) in paragraph (b)—
 - (i) omit sub-paragraph (i);
 - (ii) in sub-paragraph (ii) for “the Department of the Environment in Northern Ireland” substitute “the Department for Agriculture, Environment and Rural Affairs in Northern Ireland”;
 - (iii) in sub-paragraph (v) for “the Department for Social Development in Northern Ireland” substitute “the Department for Communities in Northern Ireland”;
 - (iv) after sub-paragraph (vi) insert—
 - “(via) the Food Standards Agency;”;
 - (v) omit sub-paragraph (viii);
 - (vi) after sub-paragraph (ix) insert—
 - “(ixa) the Ministry of Defence;
 - (ixb) the Northern Ireland Environment Agency;”;
 - (vii) omit sub-paragraph (xi).

15. In the entry relating to section 378(6)(c), in column 2 in the entry relating to Northern Ireland—

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

- (a) omit paragraph (a);
- (b) in paragraph (b)—
 - (i) omit sub-paragraph (i);
 - (ii) in sub-paragraph (ii) for “the Department of the Environment in Northern Ireland” substitute “the Department for Agriculture, Environment and Rural Affairs in Northern Ireland”;
 - (iii) in sub-paragraph (v) for “the Department for Social Development in Northern Ireland” substitute “the Department for Communities in Northern Ireland”;
 - (iv) after sub-paragraph (vi) insert—
 - “(via) the Food Standards Agency and is not below grade 7;”;
 - (v) after sub-paragraph (ix) insert—
 - “(ixa) the Ministry of Defence and is not below the grade of B2;
 - (ixb) the Northern Ireland Environment Agency and is not below the grade of Deputy Principal or Senior Scientific Officer;”.

SCHEDULE 2

Article 4

Amendments to the 2015 Order

1. In article 2(1) (interpretation) of the 2015 Order—
 - (a) in the definition of “local authority”—
 - (i) in sub-paragraph (a)—
 - (aa) in paragraph (iv) omit “and”; and
 - (bb) after paragraph (v), insert—
 - “(vi) a parish council; and”;
 - (ii) in sub-paragraph (b), after “county council” insert “, a community council”;
 - (b) at the end of the definition of “the Post Office” omit “and”; and
 - (c) after the definition of “the Royal Mail” insert—
 - “Velindre National Health Service Trust” means the NHS Trust established by the Velindre National Health Service Trust (Establishment) Order 1993(7).”.
2. The Schedule to the 2015 Order is amended as provided for in paragraphs 3 to 16.
3. In the entry relating to section 42(2)(c), in paragraph (c) in column 2—
 - (a) after sub-paragraph (xv) insert—
 - “(xva) the Ministry of Defence;”;
 - (b) in sub-paragraph (xxv) omit “or”; and
 - (c) after sub-paragraph (xxv) insert—
 - “(xxva) Velindre National Health Trust; or”.
4. In the entry relating to sections 47A(1)(c) and 47M(3)(c) before paragraph (b)(i) in column 2, insert—
 - “(ai) the Financial Conduct Authority;”.

(7) [S.I. 1993/2838](#).

5. In the entry relating to section 47G(3)(c), in column 2—
 - (a) in paragraph (a), omit “or” in the second place where it occurs;
 - (b) after paragraph (a) insert—
 - “(aa) an NCA officer at or above grade 2; or”; and
 - (c) before paragraph (b)(i) insert;
 - “(ai) the Financial Conduct Authority and is at or above the grade of Manager;”.
6. In the entry relating to section 68(3)(c) in column 2—
 - (a) in paragraph (a), for “grade 3” substitute “grade 2”;
 - (b) in paragraph (b)—
 - (i) after sub-paragraph (xv) insert—
 - “(xva) the Ministry of Defence and is at or above the grade of B2;”;
 - (ii) in sub-paragraph (xxii) for “Deputy Director” substitute “Investigations Manager”;
 - (iii) in sub-paragraph (xxiv) omit “or”; and
 - (iv) after sub-paragraph (xxiv) insert—
 - “(xxiva) Velindre National Health Trust; or”.
7. In the entry relating to Chapter 3 of Part 5 (other than the second reference in section 290(4)(c)), in paragraph (b) in column 2—
 - (a) after sub-paragraph (xii) insert—
 - “(xiia) the Ministry of Defence;”;
 - (b) in sub-paragraph (xx) omit “or”; and
 - (c) after sub-paragraph (xx) insert—
 - “(xxa) Velindre National Health Trust; or”.
8. In the entry relating to section 290(4)(c) in column 2—
 - (a) in paragraph (b), for “grade 3” substitute “grade 2”;
 - (b) in paragraph (c)—
 - (i) after sub-paragraph (xii) insert—
 - “(xiia) the Ministry of Defence and is at or above the grade of B2;”;
 - (ii) in sub-paragraph (xix) omit “or” in the second place where it occurs; and
 - (iii) after sub-paragraph(xix) insert—
 - “(xixa) Velindre National Health Trust and is at or above the grade of Operations Fraud Manager (pay band 8B); or”.
9. In the entry relating to section 352(5)(c), in paragraph (b) in column 2 —
 - (a) in sub-paragraph (xix) omit “or”; and
 - (b) after sub-paragraph (xix) insert—
 - “(xixa) Velindre National Health Trust; or”.
10. In the entry relating to section 353(10)(c) in paragraph (b) in column 2 —
 - (a) in sub-paragraph (xix) omit “or”; and
 - (b) after sub-paragraph (xix) insert—
 - “(xixa) Velindre National Health Trust; or”.

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

11. In the entry relating to section 378(1)(b) in paragraph (b) in column 2—
 - (a) after sub-paragraph (xii) insert—

“(xiiia) the Intellectual Property Office;”;
 - (b) after sub-paragraph (xv) insert—

“(xva) the Ministry of Defence;”;
 - (c) in sub-paragraph (xxv) omit “or”; and
 - (d) after sub-paragraph (xxv) insert—

“(xxva) Velindre National Health Trust; or”.
12. In the entry relating to section 378(2)(d) in column 2—
 - (a) after paragraph (l) insert—

“(la) the Intellectual Property Office and is at or above the grade of Head of Intelligence at Copyright Enforcement Directorate C2 or equivalent;”;
 - (b) after paragraph (o) insert—

“(oa) the Ministry of Defence and is at or above the grade of B2;”;
 - (c) after paragraph (p) insert—

“(pa) an NCA officer not below grade 2;”;
 - (d) in paragraph (v) for “Deputy Director” substitute “Investigations Manager”;
 - (e) in paragraph (x) omit “or” in the second place where it occurs; and
 - (f) after paragraph (x) insert—

“(xa) Velindre National Health Trust and is not below the grade of Operations Fraud Manager (pay band 8B); or”.
13. In the entry relating to section 378(3A)(ab), in paragraph (b) in column 2—
 - (a) after paragraph (xii) insert—

“(xiiia) the Ministry of Defence;”;
 - (b) in paragraph (xix) omit “or”; and
 - (c) after paragraph (xix) insert—

“(xixa) Velindre National Health Trust; or”.
14. In the entry relating to section 378(3AA)(b), in column 2—
 - (a) in paragraph (a), for “grade 3” substitute “grade 2”;
 - (b) in paragraph (b)—
 - (i) after sub-paragraph (xii) insert—

“(xiiia) the Ministry of Defence and is at or above the grade of B2;”;
 - (ii) in sub-paragraph (xviii) omit “or” in the second place where it occurs; and
 - (iii) after sub-paragraph (xviii) insert—

“(xviiiia) Velindre National Health Trust and is at or above the grade of Operations Fraud Manager (pay band 8B); or”.
15. In the entry relating to section 378(4)(a), in paragraph (b) in column 2—
 - (a) after sub-paragraph (xvi) insert—

“(xvia) the Ministry of Defence;”;
 - (b) in sub-paragraph (xxv) omit “or”; and

- (c) after sub-paragraph (xxv) insert—
“(xxva) Velindre National Health Trust; or”.
- 16.** In the entry relating to section 378(6)(c), in column 2—
- (a) in paragraph (a), for “grade 3” substitute “grade 2”;
- (b) in paragraph (b)—
- (i) after sub-paragraph (xvi) insert—
“(xvia) the Ministry of Defence and is at or above the grade of B2;”;
- (ii) in sub-paragraph (xxiv) omit “or”; and
- (iii) after sub-paragraph (xxiv) insert—
“(xxiva) Velindre National Health Trust and is at or above the grade of Operations Fraud Manager (pay band 8B); or”.
-

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 ([S.I. 2009/975](#)) (“the 2009 Order”) and the Proceeds of Crime Act 2002 (References to Financial Investigators) (England and Wales) Order 2015 ([S.I. 2015/1853](#)) (“the 2015 Order”). The 2009 Order extends to Northern Ireland and Scotland, and the 2015 Order extends to England and Wales.

Section 3 of the Proceeds of Crime Act 2002 ([c. 29](#)) (“the Act”) provides that the National Crime Agency (“NCA”) can train and accredit financial investigators in the use of certain powers within the Act. These are known as accredited financial investigators (“AFIs”). AFIs do not operate in Scotland. The Act states that the following powers (“the relevant powers”) may be exercised by AFIs:

- the power to apply to the court for a restraint order for property which may become subject to a confiscation order following a conviction (section 42 of the Act in respect of England and Wales, section 191 of the Act in respect of Northern Ireland);
- the power to search for, seize and retain property with a view to its future realisation, to support enforcement of a (future) confiscation order (sections 47A to 47R of the Act in respect of England and Wales, sections 195A to 195R in respect of Northern Ireland);
- the powers to search for, seize, detain and seek the forfeiture of cash suspected of being the proceeds of crime or intended for use in unlawful conduct (sections 289 to 303A of the Act);
- the ability to apply to the court for investigation orders and warrants in confiscation investigations, money laundering investigations and detained cash investigations (section 378 of the Act); and
- the power to execute search warrants in financial investigations (sections 352 and 353 of the Act).

Section 453 of the Act provides the Secretary of State with a power to provide by Order that a specified reference in the Act to an AFI is a reference to an AFI as described in the Order. The 2009 and 2015 Orders were made under section 453 of the Act, and list the bodies which are able to use

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

AFIs in respect of each of the relevant powers. Article 3 of, and Schedule 1 to, this Order amend the 2009 Order, and Article 4 of, and Schedule 2 to, this Order amend the 2015 Order. The effects of the amendments are to allow the Ministry of Defence and Velindre National Health Trust (in relation to England and Wales only) to use AFIs in respect of certain powers. The amendments also increase the range of powers in respect of which certain bodies can use AFIs, and remove AFIs working for certain bodies from access to the powers. In addition, references to certain bodies which have changed their names are updated, and changes to the level of seniority at which an AFI can authorise another AFI to use certain powers are also made.

An impact assessment has not been produced for this instrument as it has no direct impact on business, the public sector, charities or voluntary bodies.