

Status: Point in time view as at 07/10/2013.

Changes to legislation: There are currently no known outstanding effects for the Crime and Courts Act 2013, Cross Heading: Proceeds of Crime Act 2002 (c. 29). (See end of Document for details)

SCHEDULES

SCHEDULE 8 **U.K.**

ABOLITION OF SOCA AND NPIA

Modifications etc. (not altering text)

- C1** Sch. 8 modified (7.10.2013) by [The National Crime Agency \(Limitation of Extension to Northern Ireland\) Order 2013 \(S.I. 2013/2326\)](#), arts. 1, **arts. 3-5**

PART 2 **U.K.**

MINOR AND CONSEQUENTIAL AMENDMENTS AND REPEALS

Extent Information

- E1** Sch. Pt. 2: "the relevant NCA provisions" as specified in the table in Sch. 24 para. 9, and to the extent there specified, do not extend to Northern Ireland, see [Sch. 24 paras. 1, 2](#)

Proceeds of Crime Act 2002 (c. 29)

- 108 The Proceeds of Crime Act 2002 is amended as follows.

Commencement Information

- I1** Sch. 8 para. 108 in force at 7.10.2013 by [S.I. 2013/1682](#), **art. 3(v)**

- 109 In section 2A (contribution to the reduction of crime), in subsections (2)(a) and (3)(a), for "SOCA" substitute " the National Crime Agency ".

Commencement Information

- I2** Sch. 8 para. 109 in force at 7.10.2013 by [S.I. 2013/1682](#), **art. 3(v)**

- 110 (1) Section 2B (SOCA and members of SOCA's staff) is amended in accordance with this paragraph.
- (2) For the title substitute " **The National Crime Agency and its officers** ".
- (3) Omit subsection (1).
- (4) In subsection (2)—
- (a) for "SOCA" (in the first place) substitute " the National Crime Agency ";
- (b) for "SOCA" (in each other place) substitute " that Agency ".

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(5) Omit subsection (3).

Commencement Information

I3 Sch. 8 para. 110 in force at 7.10.2013 by S.I. 2013/1682, art. 3(v)

- 111 (1) Section 3 (accreditation and training of financial investigators) is amended in accordance with this paragraph.
- (2) In subsection (1), for “National Policing Improvement Agency” substitute “National Crime Agency”.
- (3) In subsection (2), at the end of paragraph (b) insert “, and
- (c) securing that decisions under that system which concern—
- (i) the grant or withdrawal of accreditations, or
- (ii) the monitoring of the performance of accredited financial investigators,
- are taken without regard to their effect on operations by the National Crime Agency or any other person.”.
- (4) In subsection (7), for “National Policing Improvement Agency” substitute “National Crime Agency”.

Commencement Information

I4 Sch. 8 para. 111 in force at 7.10.2013 by S.I. 2013/1682, art. 3(v)

- 112 In section 41A (restraint orders: power to retain seized property etc), in subsection (3), for paragraph (d) substitute—
- “(d) a National Crime Agency officer.”.

Commencement Information

I5 Sch. 8 para. 112 in force at 7.10.2013 by S.I. 2013/1682, art. 3(v)

- 113 In section 55 (sums received by designated officer), in subsection (8), for paragraph (h) substitute—
- “(h) a National Crime Agency officer.”.

Commencement Information

I6 Sch. 8 para. 113 in force at 7.10.2013 by S.I. 2013/1682, art. 3(v)

- 114 In section 72 (serious default in England and Wales), in subsection (9)(ba)—
- (a) for “member of staff of SOCA” substitute “National Crime Agency officer”;
- (b) for “SOCA” (in the second place) substitute “the National Crime Agency”.

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Commencement Information

I7 Sch. 8 para. 114 in force at 7.10.2013 by S.I. 2013/1682, art. 3(v)

- 115 In section 120A (restraint orders: power to retain seized property etc), in subsection (3), for paragraph (c)—
“(c) a National Crime Agency officer;”.

Commencement Information

I8 Sch. 8 para. 115 in force at 7.10.2013 by S.I. 2013/1682, art. 3(v)

- 116 In section 139 (serious default in Scotland), in subsection (9)(ca)—
(a) for “member of staff of SOCA” substitute “ National Crime Agency officer ”;
(b) for “SOCA” (in the second place) substitute “ the National Crime Agency ”.

Commencement Information

I9 Sch. 8 para. 116 in force at 7.10.2013 by S.I. 2013/1682, art. 3(v)

- 117 In section 190A (restraint orders: power to retain seized property etc — Northern Ireland), in subsection (3), for paragraph (d)—
“(d) a National Crime Agency officer;”.

Commencement Information

I10 Sch. 8 para. 117 in force at 7.10.2013 by S.I. 2013/1682, art. 3(v)

- 118 In section 195S (Codes of practice: Secretary of State), in subsection (1)(c), for “members of staff of SOCA” substitute “ NCA officers ”.

Commencement Information

I11 Sch. 8 para. 118 in force at 7.10.2013 by S.I. 2013/1682, art. 3(v)

- 119 In section 203 (sums received by chief clerk), in subsection (8), for paragraph (h)—
“(h) a National Crime Agency officer.”.

Commencement Information

I12 Sch. 8 para. 119 in force at 7.10.2013 by S.I. 2013/1682, art. 3(v)

- 120 In section 220 (serious default in Northern Ireland), in subsection (9)(ba)—
(a) for “member of staff of SOCA” substitute “ National Crime Agency officer ”;
(b) for “SOCA” (in the second place) substitute “ the National Crime Agency ”.

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Commencement Information

I13 Sch. 8 para. 120 in force at 7.10.2013 by S.I. 2013/1682, art. 3(v)

- 121 In section 316 (general interpretation), in subsection (1), in paragraphs (a) and (c) of the definition of “enforcement authority”, for “SOCA” substitute “ the National Crime Agency ”.

Commencement Information

I14 Sch. 8 para. 121 in force at 7.10.2013 by S.I. 2013/1682, art. 3(v)

- 122 (1) Section 317 (SOCA's general Revenue functions) is amended in accordance with this paragraph.
- (2) In the title, for “SOCA's” substitute “ **The National Crime Agency's** ”.
- (3) For “SOCA” (in each place) substitute “ the National Crime Agency ”.

Commencement Information

I15 Sch. 8 para. 122 in force at 7.10.2013 by S.I. 2013/1682, art. 3(v)

- 123 In section 318 (revenue functions regarding employment), for “SOCA” (in each place) substitute “ the National Crime Agency ”.

Commencement Information

I16 Sch. 8 para. 123 in force at 7.10.2013 by S.I. 2013/1682, art. 3(v)

- 124 In section 319 (source of income), for “SOCA” (in each place) substitute “ the National Crime Agency ”.

Commencement Information

I17 Sch. 8 para. 124 in force at 7.10.2013 by S.I. 2013/1682, art. 3(v)

- 125 (1) Section 321 (SOCA's functions: transfers of value) is amended in accordance with this paragraph.
- (2) In the title, for “SOCA's” substitute “ **The National Crime Agency's** ”.
- (3) For “SOCA” (in each place) substitute “ the National Crime Agency ”.

Commencement Information

I18 Sch. 8 para. 125 in force at 7.10.2013 by S.I. 2013/1682, art. 3(v)

- 126 (1) Section 322 (SOCA's functions: certain settlements) is amended in accordance with this paragraph.
- (2) In the title, for “SOCA's” substitute “ **The National Crime Agency's** ”.

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(3) For “SOCA” (in each place) substitute “ the National Crime Agency ”.

Commencement Information

I19 Sch. 8 para. 126 in force at 7.10.2013 by S.I. 2013/1682, art. 3(v)

127 In section 324 (exercise of Revenue functions), for “SOCA” (in each place) substitute “ the National Crime Agency ”.

Commencement Information

I20 Sch. 8 para. 127 in force at 7.10.2013 by S.I. 2013/1682, art. 3(v)

128 (1) In section 325 (declarations), in subsection (2)—
(a) for “member of SOCA's staff” substitute “ National Crime Agency officer ”;
(b) for “any of SOCA's functions” substitute “ any function of the National Crime Agency ”;
(c) for “Director General of SOCA” substitute “ Director General of the National Crime Agency ”.

Commencement Information

I21 Sch. 8 para. 128 in force at 7.10.2013 by S.I. 2013/1682, art. 3(v)

129 In section 330 (failure to disclose; regulated sector), in subsection (4)(b), for “the Director General of SOCA” substitute “ the Director General of the National Crime Agency ”.

Commencement Information

I22 Sch. 8 para. 129 in force at 7.10.2013 by S.I. 2013/1682, art. 3(v)

130 In section 331 (failure to disclose: nominated officers in the regulated sector), in subsection (4), for “the Director General of SOCA” substitute “ the Director General of the National Crime Agency ”.

Commencement Information

I23 Sch. 8 para. 130 in force at 7.10.2013 by S.I. 2013/1682, art. 3(v)

131 In section 332 (failure to disclose: other nominated officers), in subsection (4), for “the Director General of SOCA” substitute “ the Director General of the National Crime Agency ”.

Commencement Information

I24 Sch. 8 para. 131 in force at 7.10.2013 by S.I. 2013/1682, art. 3(v)

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- 132 In section 333A (tipping off: regulated sector), in subsection (2)(d), for “member of staff of the Serious Organised Crime Agency” substitute “ National Crime Agency officer ”.

Commencement Information

I25 Sch. 8 para. 132 in force at 7.10.2013 by S.I. 2013/1682, art. 3(v)

- 133 In section 336 (nominated officer: consent), in subsections (2)(a), (3)(a) and (4)(a), for “Director General of SOCA” substitute “ Director General of the National Crime Agency ”.

Commencement Information

I26 Sch. 8 para. 133 in force at 7.10.2013 by S.I. 2013/1682, art. 3(v)

- 134 In section 339ZA (disclosures to SOCA)—
- (a) in the title, for “SOCA” substitute “ the NCA ”;
 - (b) for “Director General of the Serious Organised Crime Agency” substitute “ Director General of the National Crime Agency ”.

Commencement Information

I27 Sch. 8 para. 134 in force at 7.10.2013 by S.I. 2013/1682, art. 3(v)

- 135 In section 340 (interpretation), in subsection (13), for “Director General of SOCA” substitute “ Director General of the National Crime Agency ”.

Commencement Information

I28 Sch. 8 para. 135 in force at 7.10.2013 by S.I. 2013/1682, art. 3(v)

- 136 In section 351 (applications for orders: supplementary), in subsection (5), for “member of SOCA's staff” (in each place) substitute “ National Crime Agency officer ”.

Commencement Information

I29 Sch. 8 para. 136 in force at 7.10.2013 by S.I. 2013/1682, art. 3(v)

- 137 In section 352 (search and seizure warrants), in subsection (5)—
- (a) in paragraph (b), for “member of SOCA's staff or” substitute “ National Crime Agency officer or a member ”;
 - (b) in paragraph (d), for “member of SOCA's staff” substitute “ National Crime Agency officer ”.

Commencement Information

I30 Sch. 8 para. 137 in force at 7.10.2013 by S.I. 2013/1682, art. 3(v)

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- 138 In section 353 (requirements where production order not available), in subsection (10)—
- (a) in paragraph (b), for “member of SOCA's staff or” substitute “ National Crime Agency officer or a member ”;
 - (b) in paragraph (d), for “member of SOCA's staff” substitute “ National Crime Agency officer ”.

Commencement Information

I31 Sch. 8 para. 138 in force at 7.10.2013 by S.I. 2013/1682, art. 3(v)

- 139 In section 357 (disclosure orders), for “member of SOCA's staff” (in each place) substitute “ National Crime Agency officer ”.

Commencement Information

I32 Sch. 8 para. 139 in force at 7.10.2013 by S.I. 2013/1682, art. 3(v)

- 140 In section 362 (supplementary), in subsection (4A), for “member of SOCA's staff” (in each place) substitute “ National Crime Agency officer ”.

Commencement Information

I33 Sch. 8 para. 140 in force at 7.10.2013 by S.I. 2013/1682, art. 3(v)

- 141 In section 369 (supplementary), for “member of SOCA's staff” (in each place) substitute “ National Crime Agency officer ”.

Commencement Information

I34 Sch. 8 para. 141 in force at 7.10.2013 by S.I. 2013/1682, art. 3(v)

- 142 In section 375 (supplementary), in subsection (4), for “member of SOCA's staff” (in each place) substitute “ National Crime Agency officer ”.

Commencement Information

I35 Sch. 8 para. 142 in force at 7.10.2013 by S.I. 2013/1682, art. 3(v)

- 143 In section 377 (code of practice of Secretary of State etc), in subsection (1), for paragraphs (a) and (b) substitute—

- “(a) the Director General of the National Crime Agency;
- (b) other National Crime Agency officers;”.

Commencement Information

I36 Sch. 8 para. 143 in force at 7.10.2013 by S.I. 2013/1682, art. 3(v)

- 144 (1) Section 378 (officers) is amended in accordance with this paragraph.

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- (2) In subsection (1), for paragraph (a) substitute—
 “(a) a National Crime Agency officer;”.
- (3) In subsection (2), for paragraph (a) substitute—
 “(a) a senior National Crime Agency officer;”.
- (4) In subsection (3)—
 (a) in paragraph (a), for “member of SOCA's staff” substitute “ National Crime Agency officer ”;
 (b) in paragraph (b), for “senior member of SOCA's staff” substitute “ senior National Crime Agency officer ”.
- (5) In subsection (5), for “Director General of SOCA” substitute “ Director General of the National Crime Agency ”.
- (6) In subsection (6A), for “a member of SOCA's staff” substitute “ a National Crime Agency officer ”.
- (7) In subsection (8)—
 (a) for “senior member of SOCA's staff” substitute “ senior National Crime Agency officer ”;
 (b) in paragraph (a), for “Director General of SOCA” substitute “ Director General of the National Crime Agency ”;
 (c) in paragraph (b), for “member of SOCA's staff” substitute “ other National Crime Agency officer ”.

Commencement Information

I37 Sch. 8 para. 144 in force at 7.10.2013 by S.I. 2013/1682, art. 3(v)

- 145 In section 416 (other interpretative provisions), in subsection (2), for “member of SOCA's staff” substitute “ National Crime Agency officer ”.

Commencement Information

I38 Sch. 8 para. 145 in force at 7.10.2013 by S.I. 2013/1682, art. 3(v)

- 146 In section 438 (disclosure of information by certain directors), in subsection (1)(fa), for “SOCA” substitute “ the National Crime Agency ”.

Commencement Information

I39 Sch. 8 para. 146 in force at 7.10.2013 by S.I. 2013/1682, art. 3(v)

- 147 In section 439 (disclosure of information to Lord Advocate and to Scottish Ministers), in subsection (5)(b), for “SOCA” substitute “ the National Crime Agency ”.

Commencement Information

I40 Sch. 8 para. 147 in force at 7.10.2013 by S.I. 2013/1682, art. 3(v)

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- 148 In section 443 (enforcement in different parts of the United Kingdom), in subsection (3), for “SOCA” substitute “the National Crime Agency or its officers”.

Commencement Information

I41 Sch. 8 para. 148 in force at 7.10.2013 by S.I. 2013/1682, art. 3(v)

- 149 In section 444 (external requests and orders), in subsection (4), for paragraph (d) substitute—
“(d) the National Crime Agency;”.

Commencement Information

I42 Sch. 8 para. 149 in force at 7.10.2013 by S.I. 2013/1682, art. 3(v)

- 150 In section 445 (external investigations), for “SOCA” substitute “the National Crime Agency or its officers”.

Commencement Information

I43 Sch. 8 para. 150 in force at 7.10.2013 by S.I. 2013/1682, art. 3(v)

- 151 (1) In section 449 (SOCA's staff: pseudonyms) is amended in accordance with this paragraph.
- (2) In the title, for “SOCA's staff” substitute “NCA officers”.
- (3) In subsection (1)—
- (a) in the words before paragraph (a), for “member of SOCA's staff” substitute “National Crime Agency officer”;
 - (b) in paragraph (a), for “by SOCA to do anything” substitute “to do anything on behalf of the National Crime Agency”;
 - (c) in paragraph (b), for “member of SOCA's staff” substitute “National Crime Agency officer”.
- (4) In subsection (2), for “member of the SOCA's staff” substitute “National Crime Agency officer”.
- (5) In subsections (3) (in each place) and (4), for “member of SOCA's staff” substitute “National Crime Agency officer”.
- (6) In subsection (6)—
- (a) for “a member of SOCA's staff” substitute “an NCA officer”;
 - (b) for “SOCA” substitute “the Director General of the NCA”.

Commencement Information

I44 Sch. 8 para. 151 in force at 7.10.2013 by S.I. 2013/1682, art. 3(v)

- 152 In Schedule 8 (forms of declarations)—
- (a) for “SOCA” (in the first place) substitute “the National Crime Agency”;
 - (b) for “SOCA” (in the second place) substitute “that Agency”;

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(c) for “its” substitute “that Agency's”.

Commencement Information

I45 Sch. 8 para. 152 in force at 7.10.2013 by S.I. 2013/1682, art. 3(v)

Status:

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Changes to legislation:

There are currently no known outstanding effects for the Crime and Courts Act 2013, Cross
Heading: Proceeds of Crime Act 2002 (c. 29).