
EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into operation on 1st March 2016 a code of practice made under section 377ZA(1) of the Proceeds of Crime Act 2002 (“the Act”). The code of practice relates to the exercise of functions under Chapter 2 of Part 8 of the Act by constables and accredited financial investigators in Northern Ireland.

The functions in Chapter 2 of Part 8 of the Act concern the conduct by appropriate officers (defined in section 378 of the Act) of certain types of investigations which are authorised by the Act (defined in section 341), concerned with the recovery of the proceeds of criminal conduct. The code of practice issued under section 377ZA of the Act applies to confiscation investigations, detained cash investigations and money laundering investigations.

A code of practice issued by the Secretary of State under section 377 of the Act relates to the exercise of functions under Chapter 2 of Part 8 of the Act in Northern Ireland by—

- (a) National Crime Agency officers,
- (b) officers of Revenue and Customs, and
- (c) immigration officers.

An impact assessment has not been produced for this Order as it has no direct impact on business, charities or voluntary bodies. The code of practice provides guidance on the use of the powers under the Act by bodies in the public sector, and incorporates existing best practice, but it does not require any greater use of those powers which could result in an additional impact.