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DRAFT STATUTORY INSTRUMENTS

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**2001 No.**

**Financial Investigations (Northern Ireland) Order 2001**

**Order to make material available and authority for search**

- 4.—(1) In Article 50 of the 1996 Order (order to make material available)—
- (a) in paragraph (1), for the words “the proceeds of any such conduct” there shall be substituted the words “any relevant property”;
  - (b) in paragraph (2), after the word “constable” in both places where it occurs there shall be inserted the words “or a financial investigator”;
  - (c) in paragraph (4)(a), at the end of head (ii) there shall be inserted—
    - “or
    - (iii) (in any case) has at any time held relevant property,”;
  - (d) in paragraph (5), after the word “constable” in the second place where it occurs there shall be inserted the words “or a financial investigator”;
  - (e) after paragraph (6) there shall be inserted the following paragraph—
    - “(6A) Paragraph (6) does not apply to an application made for an order addressed to a solicitor if for the purposes of the same investigation the solicitor has been required to furnish information under paragraph 3A of Schedule 2.”.
- (2) In Article 51 of that Order (authority for search)—
- (a) in paragraph (1)(b), for the words “the proceeds of any such conduct” there shall be substituted the words “any relevant property”;
  - (b) in paragraph (3)(a), at the end of head (ii) there shall be inserted—
    - “or
    - (iii) (in any case) has at any time held relevant property,”;
  - (c) in paragraph (4)—
    - (i) in sub-paragraph (a), at the end of head (ii) there shall be inserted—
      - “or
      - (iii) (in any case) has at any time held relevant property,”;
    - (ii) in sub-paragraph (b)(ii), for the words “the proceeds of any such conduct” there shall be substituted the words “any relevant property”.
- (3) In Article 52 of that Order (supplementary provisions)—
- (a) in paragraph (1)(a)(ii), for the words “the proceeds of any such conduct” there shall be substituted the words “any relevant property”;
  - (b) after paragraph (2) there shall be added the following paragraph—
    - “(3) In Articles 50 and 51 and in paragraph (1), “relevant property” has the same meaning as in Article 49 except that in paragraph (b) of the definition of “relevant

property” in Article 49(5) the reference to paragraph (1) or (1A) of that Article shall be construed as a reference to Article 50 or 51.”.