



Proceeds of Crime Act 2002

2002 CHAPTER 29

PART 8

INVESTIGATIONS

CHAPTER 2

ENGLAND AND WALES AND NORTHERN IRELAND

Customer information orders

363 Customer information orders

(1) A judge may, on an application made to him by an appropriate officer, make a customer information order if he is satisfied that each of the requirements for the making of the order is fulfilled.

[^{F1}(1A) No application for a customer information order may be made in relation to a detained cash investigation.]

(2) The application for a customer information order must state that—

- (a) a person specified in the application is subject to a confiscation investigation [^{F2}, a civil recovery investigation] [^{F3}, an exploitation proceeds investigation] or a money laundering investigation, [^{F4}or
- (b) property specified in the application is subject to a civil recovery investigation and a person specified in the application appears to hold the property.]

(3) The application must also state that—

- (a) the order is sought for the purposes of the investigation;
- (b) the order is sought against the financial institution or financial institutions specified in the application.

(4) An application for a customer information order may specify—

Status: Point in time view as at 17/03/2016. This version of this provision has been superseded.

Changes to legislation: Proceeds of Crime Act 2002, Section 363 is up to date with all changes known to be in force on or before 02 September 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- (a) all financial institutions,
 - (b) a particular description, or particular descriptions, of financial institutions, or
 - (c) a particular financial institution or particular financial institutions.
- (5) A customer information order is an order that a financial institution covered by the application for the order must, on being required to do so by notice in writing given by an appropriate officer, provide any such customer information as it has relating to the person specified in the application.
- (6) A financial institution which is required to provide information under a customer information order must provide the information to an appropriate officer in such manner, and at or by such time, as an appropriate officer requires.
- (7) If a financial institution on which a requirement is imposed by a notice given under a customer information order requires the production of evidence of authority to give the notice, it is not bound to comply with the requirement unless evidence of the authority has been produced to it.

Textual Amendments

- F1** S. 363(1A) inserted (6.4.2008) by [Serious Crime Act 2007 \(c. 27\)](#), s. 94(1), **Sch. 10 para. 11**; S.I. 2008/755, art. 17(1)(d)(ii)
- F2** Words in s. 363(2) inserted (1.6.2015 for E.W. for specified purposes, 1.2.2017 in so far as not already in force) by [Crime and Courts Act 2013 \(c. 22\)](#), s. 61(2), **Sch. 19 para. 10(a)**; S.I. 2015/964, art. 2(d) (with art. 3); S.I. 2017/4, art. 2 (with art. 3)
- F3** Words in s. 363(2)(a) inserted (6.4.2010) by [Coroners and Justice Act 2009 \(c. 25\)](#), s. 182(5), **Sch. 19 para. 16** (with s. 180); S.I. 2010/816, art. 2, Sch. para. 18
- F4** S. 363(2)(b) and word omitted (1.6.2015 for E.W. for specified purposes, 1.2.2017 in so far as not already in force) by virtue of [Crime and Courts Act 2013 \(c. 22\)](#), s. 61(2), **Sch. 19 para. 10(b)**; S.I. 2015/964, art. 2(d) (with art. 3); S.I. 2017/4, art. 2 (with art. 3)

Commencement Information

- I1** S. 363 in force at 24.2.2003 by [S.I. 2003/120](#), art. 2, **Sch.** (with arts. 3, 4) (as amended (20.2.2003) by [S.I. 2003/333](#), art. 14)

Status:

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