



Crime (International Co- operation) Act 2003

2003 CHAPTER 32

PART 1

MUTUAL ASSISTANCE IN CRIMINAL MATTERS

CHAPTER 4

INFORMATION ABOUT BANKING TRANSACTIONS

General

46 Interpretation of Chapter 4

(1) In this Chapter—

“the court” means the Crown Court or, in Scotland, the sheriff,

“senior police officer” means a police officer who is not below the rank of superintendent and “senior customs officer” means a customs officer who is not below the grade designated by the Commissioners of Customs and Excise as equivalent to that rank.

(2) The following provisions apply for the purposes of this Chapter.

(3) Serious criminal conduct means conduct which constitutes—

(a) an offence to which paragraph 3 of Article 1 (request for information on bank accounts) of the 2001 Protocol applies, or

(b) an offence specified in an order made by the Secretary of State or, in relation to Scotland, the Scottish Ministers for the purpose of giving effect to any decision of the Council of the European Union under paragraph 6 of that Article.

Status: This is the original version (as it was originally enacted).

(4) A financial institution—

- (a) means a person who is carrying on business in the regulated sector, and
- (b) in relation to a customer information order or an account monitoring order, includes a person who was carrying on business in the regulated sector at a time which is the time to which any requirement for him to provide information under the order is to relate.

“Business in the regulated sector” is to be interpreted in accordance with Schedule 9 to the Proceeds of Crime Act 2002 (c. 29).

(5) A judge means—

- (a) in relation to England and Wales, a judge entitled to exercise the jurisdiction of the Crown Court,
- (b) in relation to Northern Ireland, a Crown Court judge.