

*Changes to legislation: There are currently no known outstanding effects for the Crime and Courts Act 2013, Cross Heading: Search and seizure warrants: England and Wales and Northern Ireland. (See end of Document for details)*

## SCHEDULES

### SCHEDULE 19

#### PROCEEDS OF CRIME: INVESTIGATIONS

##### PART 1

##### CIVIL RECOVERY INVESTIGATIONS

*Search and seizure warrants: England and Wales <sup>[F1]</sup> and Northern Ireland]*

##### Textual Amendments

**F1** Words in Sch. 19 para. 6 heading inserted (20.3.2015) by [The Crime and Courts Act 2013 \(National Crime Agency and Proceeds of Crime\) \(Northern Ireland\) Order 2015 \(S.I. 2015/798\)](#), [arts. 1\(2\), 9](#)

6 In section 352 (search and seizure warrants), in subsection (2)(a), after “confiscation investigation” insert “ , a civil recovery investigation ”.

##### Extent Information

**E1** Sch. 19 paras. 2-13 extended (N.I.) (20.3.2015) by [The Crime and Courts Act 2013 \(National Crime Agency and Proceeds of Crime\) \(Northern Ireland\) Order 2015 \(S.I. 2015/798\)](#), [arts. 1\(2\), 7\(b\)](#)

##### Commencement Information

**I1** Sch. 19 para. 6 in force at 1.6.2015 for E.W.S. (except for the words “and Northern Ireland” in the preceding heading) by [S.I. 2015/964](#), [art. 2\(d\)](#) (with [art. 3](#))

**I2** [Sch. 19 para. 6](#) in force at 1.2.2017 in so far as not already in force by [S.I. 2017/4](#), [art. 2](#) (with [art. 3](#))

7 (1) Section 353 (requirements where production order not available) is amended as follows.

(2) In subsection (2), for paragraph (b) substitute—

“(b) in the case of a civil recovery investigation—

- (i) the person specified in the application for the warrant holds recoverable property or associated property,
- (ii) that person has, at any time, held property that was recoverable property or associated property at the time, or
- (iii) the property specified in the application for the warrant is recoverable property or associated property;”.

(3) In subsection (7), for paragraph (a) substitute—

“(a) relates to the person or property specified in the application or to any of the questions listed in subsection (7ZA), and”.

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(4) After that subsection insert—

“(7ZA) Those questions are—

- (a) where a person is specified in the application, any question as to—
  - (i) what property the person holds or has held,
  - (ii) whether the property is or has been recoverable property or associated property, or
  - (iii) the nature, extent or whereabouts of the property, and
- (b) where property is specified in the application, any question as to—
  - (i) whether the property is or has been recoverable property or associated property,
  - (ii) who holds it or has held it,
  - (iii) whether a person who appears to hold or to have held it holds or has held other property,
  - (iv) whether the other property is or has been recoverable property or associated property, or
  - (v) the nature, extent or whereabouts of the specified property or the other property.”

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**Extent Information**

- E1** Sch. 19 paras. 2-13 extended (N.I.) (20.3.2015) by [The Crime and Courts Act 2013 \(National Crime Agency and Proceeds of Crime\) \(Northern Ireland\) Order 2015 \(S.I. 2015/798\)](#), arts. 1(2), **7(b)**

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**Commencement Information**

- I3** Sch. 19 para. 7 in force at 1.6.2015 for E.W.S. (except for the words “and Northern Ireland” in the preceding heading) by [S.I. 2015/964](#), **art. 2(d)** (with [art. 3](#))
- I4** [Sch. 19 para. 7](#) in force at 1.2.2017 in so far as not already in force by [S.I. 2017/4](#), **art. 2** (with [art. 3](#))

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