

Status: Point in time view as at 07/10/2013.

Changes to legislation: There are currently no known outstanding effects for the Crime and Courts Act 2013, Cross Heading: Proceeds of Crime Act 2002 (c. 29). (See end of Document for details)

SCHEDULES

SCHEDULE 8 **U.K.**

ABOLITION OF SOCA AND NPIA

Modifications etc. (not altering text)

- C1** Sch. 8 modified (7.10.2013) by [The National Crime Agency \(Limitation of Extension to Northern Ireland\) Order 2013 \(S.I. 2013/2326\)](#), arts. 1, **arts. 3-5**

PART 2 **U.K.**

MINOR AND CONSEQUENTIAL AMENDMENTS AND REPEALS

Extent Information

- E1** Sch. Pt. 2: "the relevant NCA provisions" as specified in the table in Sch. 24 para. 9, and to the extent there specified, do not extend to Northern Ireland, see [Sch. 24 paras. 1, 2](#)

Proceeds of Crime Act 2002 (c. 29)

- 108 The Proceeds of Crime Act 2002 is amended as follows.

Commencement Information

- I1** Sch. 8 para. 108 in force at 7.10.2013 by [S.I. 2013/1682](#), **art. 3(v)**

- 109 In section 2A (contribution to the reduction of crime), in subsections (2)(a) and (3)(a), for "SOCA" substitute " the National Crime Agency ".

Commencement Information

- I2** Sch. 8 para. 109 in force at 7.10.2013 by [S.I. 2013/1682](#), **art. 3(v)**

- 110 (1) Section 2B (SOCA and members of SOCA's staff) is amended in accordance with this paragraph.
- (2) For the title substitute " **The National Crime Agency and its officers** ".
- (3) Omit subsection (1).
- (4) In subsection (2)—
- (a) for "SOCA" (in the first place) substitute " the National Crime Agency ";
- (b) for "SOCA" (in each other place) substitute " that Agency ".

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(5) Omit subsection (3).

Commencement Information

I3 Sch. 8 para. 110 in force at 7.10.2013 by S.I. 2013/1682, art. 3(v)

- 111 (1) Section 3 (accreditation and training of financial investigators) is amended in accordance with this paragraph.
- (2) In subsection (1), for “National Policing Improvement Agency” substitute “National Crime Agency”.
- (3) In subsection (2), at the end of paragraph (b) insert “, and
- (c) securing that decisions under that system which concern—
- (i) the grant or withdrawal of accreditations, or
- (ii) the monitoring of the performance of accredited financial investigators,
- are taken without regard to their effect on operations by the National Crime Agency or any other person.”.
- (4) In subsection (7), for “National Policing Improvement Agency” substitute “National Crime Agency”.

Commencement Information

I4 Sch. 8 para. 111 in force at 7.10.2013 by S.I. 2013/1682, art. 3(v)

- 112 In section 41A (restraint orders: power to retain seized property etc), in subsection (3), for paragraph (d) substitute—
- “(d) a National Crime Agency officer.”.

Commencement Information

I5 Sch. 8 para. 112 in force at 7.10.2013 by S.I. 2013/1682, art. 3(v)

- 113 In section 55 (sums received by designated officer), in subsection (8), for paragraph (h) substitute—
- “(h) a National Crime Agency officer.”.

Commencement Information

I6 Sch. 8 para. 113 in force at 7.10.2013 by S.I. 2013/1682, art. 3(v)

- 114 In section 72 (serious default in England and Wales), in subsection (9)(ba)—
- (a) for “member of staff of SOCA” substitute “National Crime Agency officer”;
- (b) for “SOCA” (in the second place) substitute “the National Crime Agency”.

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Commencement Information

I7 Sch. 8 para. 114 in force at 7.10.2013 by S.I. 2013/1682, art. 3(v)

- 115 In section 120A (restraint orders: power to retain seized property etc), in subsection (3), for paragraph (c)—
“(c) a National Crime Agency officer;”.

Commencement Information

I8 Sch. 8 para. 115 in force at 7.10.2013 by S.I. 2013/1682, art. 3(v)

- 116 In section 139 (serious default in Scotland), in subsection (9)(ca)—
(a) for “member of staff of SOCA” substitute “National Crime Agency officer”;
(b) for “SOCA” (in the second place) substitute “the National Crime Agency”.

Commencement Information

I9 Sch. 8 para. 116 in force at 7.10.2013 by S.I. 2013/1682, art. 3(v)

- 117 In section 190A (restraint orders: power to retain seized property etc — Northern Ireland), in subsection (3), for paragraph (d)—
“(d) a National Crime Agency officer;”.

Commencement Information

I10 Sch. 8 para. 117 in force at 7.10.2013 by S.I. 2013/1682, art. 3(v)

- 118 In section 195S (Codes of practice: Secretary of State), in subsection (1)(c), for “members of staff of SOCA” substitute “NCA officers”.

Commencement Information

I11 Sch. 8 para. 118 in force at 7.10.2013 by S.I. 2013/1682, art. 3(v)

- 119 In section 203 (sums received by chief clerk), in subsection (8), for paragraph (h)—
“(h) a National Crime Agency officer.”.

Commencement Information

I12 Sch. 8 para. 119 in force at 7.10.2013 by S.I. 2013/1682, art. 3(v)

- 120 In section 220 (serious default in Northern Ireland), in subsection (9)(ba)—
(a) for “member of staff of SOCA” substitute “National Crime Agency officer”;
(b) for “SOCA” (in the second place) substitute “the National Crime Agency”.

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Commencement Information

I13 Sch. 8 para. 120 in force at 7.10.2013 by S.I. 2013/1682, art. 3(v)

- 121 In section 316 (general interpretation), in subsection (1), in paragraphs (a) and (c) of the definition of “enforcement authority”, for “SOCA” substitute “ the National Crime Agency ”.

Commencement Information

I14 Sch. 8 para. 121 in force at 7.10.2013 by S.I. 2013/1682, art. 3(v)

- 122 (1) Section 317 (SOCA's general Revenue functions) is amended in accordance with this paragraph.
- (2) In the title, for “SOCA's” substitute “ **The National Crime Agency's** ”.
- (3) For “SOCA” (in each place) substitute “ the National Crime Agency ”.

Commencement Information

I15 Sch. 8 para. 122 in force at 7.10.2013 by S.I. 2013/1682, art. 3(v)

- 123 In section 318 (revenue functions regarding employment), for “SOCA” (in each place) substitute “ the National Crime Agency ”.

Commencement Information

I16 Sch. 8 para. 123 in force at 7.10.2013 by S.I. 2013/1682, art. 3(v)

- 124 In section 319 (source of income), for “SOCA” (in each place) substitute “ the National Crime Agency ”.

Commencement Information

I17 Sch. 8 para. 124 in force at 7.10.2013 by S.I. 2013/1682, art. 3(v)

- 125 (1) Section 321 (SOCA's functions: transfers of value) is amended in accordance with this paragraph.
- (2) In the title, for “SOCA's” substitute “ **The National Crime Agency's** ”.
- (3) For “SOCA” (in each place) substitute “ the National Crime Agency ”.

Commencement Information

I18 Sch. 8 para. 125 in force at 7.10.2013 by S.I. 2013/1682, art. 3(v)

- 126 (1) Section 322 (SOCA's functions: certain settlements) is amended in accordance with this paragraph.
- (2) In the title, for “SOCA's” substitute “ **The National Crime Agency's** ”.

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(3) For “SOCA” (in each place) substitute “ the National Crime Agency ”.

Commencement Information

I19 Sch. 8 para. 126 in force at 7.10.2013 by S.I. 2013/1682, art. 3(v)

127 In section 324 (exercise of Revenue functions), for “SOCA” (in each place) substitute “ the National Crime Agency ”.

Commencement Information

I20 Sch. 8 para. 127 in force at 7.10.2013 by S.I. 2013/1682, art. 3(v)

128 (1) In section 325 (declarations), in subsection (2)—
(a) for “member of SOCA's staff” substitute “ National Crime Agency officer ”;
(b) for “any of SOCA's functions” substitute “ any function of the National Crime Agency ”;
(c) for “Director General of SOCA” substitute “ Director General of the National Crime Agency ”.

Commencement Information

I21 Sch. 8 para. 128 in force at 7.10.2013 by S.I. 2013/1682, art. 3(v)

129 In section 330 (failure to disclose; regulated sector), in subsection (4)(b), for “the Director General of SOCA” substitute “ the Director General of the National Crime Agency ”.

Commencement Information

I22 Sch. 8 para. 129 in force at 7.10.2013 by S.I. 2013/1682, art. 3(v)

130 In section 331 (failure to disclose: nominated officers in the regulated sector), in subsection (4), for “the Director General of SOCA” substitute “ the Director General of the National Crime Agency ”.

Commencement Information

I23 Sch. 8 para. 130 in force at 7.10.2013 by S.I. 2013/1682, art. 3(v)

131 In section 332 (failure to disclose: other nominated officers), in subsection (4), for “the Director General of SOCA” substitute “ the Director General of the National Crime Agency ”.

Commencement Information

I24 Sch. 8 para. 131 in force at 7.10.2013 by S.I. 2013/1682, art. 3(v)

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- 132 In section 333A (tipping off: regulated sector), in subsection (2)(d), for “member of staff of the Serious Organised Crime Agency” substitute “ National Crime Agency officer ”.

Commencement Information

I25 Sch. 8 para. 132 in force at 7.10.2013 by S.I. 2013/1682, art. 3(v)

- 133 In section 336 (nominated officer: consent), in subsections (2)(a), (3)(a) and (4)(a), for “Director General of SOCA” substitute “ Director General of the National Crime Agency ”.

Commencement Information

I26 Sch. 8 para. 133 in force at 7.10.2013 by S.I. 2013/1682, art. 3(v)

- 134 In section 339ZA (disclosures to SOCA)—
- (a) in the title, for “SOCA” substitute “ the NCA ”;
 - (b) for “Director General of the Serious Organised Crime Agency” substitute “ Director General of the National Crime Agency ”.

Commencement Information

I27 Sch. 8 para. 134 in force at 7.10.2013 by S.I. 2013/1682, art. 3(v)

- 135 In section 340 (interpretation), in subsection (13), for “Director General of SOCA” substitute “ Director General of the National Crime Agency ”.

Commencement Information

I28 Sch. 8 para. 135 in force at 7.10.2013 by S.I. 2013/1682, art. 3(v)

- 136 In section 351 (applications for orders: supplementary), in subsection (5), for “member of SOCA's staff” (in each place) substitute “ National Crime Agency officer ”.

Commencement Information

I29 Sch. 8 para. 136 in force at 7.10.2013 by S.I. 2013/1682, art. 3(v)

- 137 In section 352 (search and seizure warrants), in subsection (5)—
- (a) in paragraph (b), for “member of SOCA's staff or” substitute “ National Crime Agency officer or a member ”;
 - (b) in paragraph (d), for “member of SOCA's staff” substitute “ National Crime Agency officer ”.

Commencement Information

I30 Sch. 8 para. 137 in force at 7.10.2013 by S.I. 2013/1682, art. 3(v)

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- 138 In section 353 (requirements where production order not available), in subsection (10)—
- (a) in paragraph (b), for “member of SOCA's staff or” substitute “ National Crime Agency officer or a member ”;
 - (b) in paragraph (d), for “member of SOCA's staff” substitute “ National Crime Agency officer ”.

Commencement Information

I31 Sch. 8 para. 138 in force at 7.10.2013 by S.I. 2013/1682, art. 3(v)

- 139 In section 357 (disclosure orders), for “member of SOCA's staff” (in each place) substitute “ National Crime Agency officer ”.

Commencement Information

I32 Sch. 8 para. 139 in force at 7.10.2013 by S.I. 2013/1682, art. 3(v)

- 140 In section 362 (supplementary), in subsection (4A), for “member of SOCA's staff” (in each place) substitute “ National Crime Agency officer ”.

Commencement Information

I33 Sch. 8 para. 140 in force at 7.10.2013 by S.I. 2013/1682, art. 3(v)

- 141 In section 369 (supplementary), for “member of SOCA's staff” (in each place) substitute “ National Crime Agency officer ”.

Commencement Information

I34 Sch. 8 para. 141 in force at 7.10.2013 by S.I. 2013/1682, art. 3(v)

- 142 In section 375 (supplementary), in subsection (4), for “member of SOCA's staff” (in each place) substitute “ National Crime Agency officer ”.

Commencement Information

I35 Sch. 8 para. 142 in force at 7.10.2013 by S.I. 2013/1682, art. 3(v)

- 143 In section 377 (code of practice of Secretary of State etc), in subsection (1), for paragraphs (a) and (b) substitute—

- “(a) the Director General of the National Crime Agency;
- (b) other National Crime Agency officers;”.

Commencement Information

I36 Sch. 8 para. 143 in force at 7.10.2013 by S.I. 2013/1682, art. 3(v)

- 144 (1) Section 378 (officers) is amended in accordance with this paragraph.

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- (2) In subsection (1), for paragraph (a) substitute—
 “(a) a National Crime Agency officer;”.
- (3) In subsection (2), for paragraph (a) substitute—
 “(a) a senior National Crime Agency officer;”.
- (4) In subsection (3)—
 (a) in paragraph (a), for “member of SOCA's staff” substitute “ National Crime Agency officer ”;
 (b) in paragraph (b), for “senior member of SOCA's staff” substitute “ senior National Crime Agency officer ”.
- (5) In subsection (5), for “Director General of SOCA” substitute “ Director General of the National Crime Agency ”.
- (6) In subsection (6A), for “a member of SOCA's staff” substitute “ a National Crime Agency officer ”.
- (7) In subsection (8)—
 (a) for “senior member of SOCA's staff” substitute “ senior National Crime Agency officer ”;
 (b) in paragraph (a), for “Director General of SOCA” substitute “ Director General of the National Crime Agency ”;
 (c) in paragraph (b), for “member of SOCA's staff” substitute “ other National Crime Agency officer ”.

Commencement Information

I37 Sch. 8 para. 144 in force at 7.10.2013 by S.I. 2013/1682, art. 3(v)

- 145 In section 416 (other interpretative provisions), in subsection (2), for “member of SOCA's staff” substitute “ National Crime Agency officer ”.

Commencement Information

I38 Sch. 8 para. 145 in force at 7.10.2013 by S.I. 2013/1682, art. 3(v)

- 146 In section 438 (disclosure of information by certain directors), in subsection (1)(fa), for “SOCA” substitute “ the National Crime Agency ”.

Commencement Information

I39 Sch. 8 para. 146 in force at 7.10.2013 by S.I. 2013/1682, art. 3(v)

- 147 In section 439 (disclosure of information to Lord Advocate and to Scottish Ministers), in subsection (5)(b), for “SOCA” substitute “ the National Crime Agency ”.

Commencement Information

I40 Sch. 8 para. 147 in force at 7.10.2013 by S.I. 2013/1682, art. 3(v)

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- 148 In section 443 (enforcement in different parts of the United Kingdom), in subsection (3), for “SOCA” substitute “the National Crime Agency or its officers”.

Commencement Information

I41 Sch. 8 para. 148 in force at 7.10.2013 by S.I. 2013/1682, art. 3(v)

- 149 In section 444 (external requests and orders), in subsection (4), for paragraph (d) substitute—
“(d) the National Crime Agency;”.

Commencement Information

I42 Sch. 8 para. 149 in force at 7.10.2013 by S.I. 2013/1682, art. 3(v)

- 150 In section 445 (external investigations), for “SOCA” substitute “the National Crime Agency or its officers”.

Commencement Information

I43 Sch. 8 para. 150 in force at 7.10.2013 by S.I. 2013/1682, art. 3(v)

- 151 (1) In section 449 (SOCA's staff: pseudonyms) is amended in accordance with this paragraph.
(2) In the title, for “SOCA's staff” substitute “NCA officers”.
(3) In subsection (1)—
(a) in the words before paragraph (a), for “member of SOCA's staff” substitute “National Crime Agency officer”;
(b) in paragraph (a), for “by SOCA to do anything” substitute “to do anything on behalf of the National Crime Agency”;
(c) in paragraph (b), for “member of SOCA's staff” substitute “National Crime Agency officer”.
(4) In subsection (2), for “member of the SOCA's staff” substitute “National Crime Agency officer”.
(5) In subsections (3) (in each place) and (4), for “member of SOCA's staff” substitute “National Crime Agency officer”.
(6) In subsection (6)—
(a) for “a member of SOCA's staff” substitute “an NCA officer”;
(b) for “SOCA” substitute “the Director General of the NCA”.

Commencement Information

I44 Sch. 8 para. 151 in force at 7.10.2013 by S.I. 2013/1682, art. 3(v)

- 152 In Schedule 8 (forms of declarations)—
(a) for “SOCA” (in the first place) substitute “the National Crime Agency”;
(b) for “SOCA” (in the second place) substitute “that Agency”;

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(c) for “its” substitute “that Agency's”.

Commencement Information

I45 Sch. 8 para. 152 in force at 7.10.2013 by S.I. 2013/1682, art. 3(v)

Status:

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Changes to legislation:

There are currently no known outstanding effects for the Crime and Courts Act 2013, Cross
Heading: Proceeds of Crime Act 2002 (c. 29).