
STATUTORY INSTRUMENTS

2001 No. 3641

The Money Laundering Regulations 2001

PART III

POWERS OF THE COMMISSIONERS

Procedure where recorded information is removed

12.—(1) An officer who removes any recorded information in the exercise of a power conferred by regulation 11 must, if so requested by a person showing himself—

- (a) to be the occupier of premises from which it was removed; or
- (b) to have had custody or control of it immediately before the removal;

provide that person with a record of what he removed.

(2) The officer must provide the record within a reasonable time from the making of the request for it.

(3) Subject to paragraph (7), if a request for permission to be granted access to anything which—

- (a) has been removed by an officer; and
- (b) is retained by the Commissioners for the purposes of investigating an offence;

is made to the officer in overall charge of the investigation by a person who had custody or control of the thing immediately before it was so removed or by someone acting on behalf of such a person, that officer must allow the person who made the request access to it under the supervision of an officer.

(4) Subject to paragraph (7), if a request for a photograph or copy of any such thing is made to the officer in overall charge of the investigation by a person who had custody or control of the thing immediately before it was so removed, or by someone acting on behalf of such a person, that officer must—

- (a) allow the person who made the request access to it under the supervision of an officer for the purpose of photographing it or copying it; or
- (b) photograph or copy it, or cause it to be photographed or copied.

(5) Where anything is photographed or copied under sub-paragraph (4)(b), the photograph or copy must be supplied to the person who made the request.

(6) The photograph or copy must be supplied within a reasonable time from the making of the request.

(7) There is no duty under this regulation to grant access to, or supply a photograph or a copy of, anything if the officer in overall charge of the investigation for the purposes of which it was removed has reasonable grounds for believing that to do so would prejudice—

- (a) that investigation;
- (b) the investigation of an offence other than the offence for the purposes of the investigation of which the document was removed; or
- (c) any criminal proceedings which may be brought as a result of—

- (i) the investigation of which he is in charge; or
- (ii) any such investigation as is mentioned in sub-paragraph (b).