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STATUTORY INSTRUMENTS

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**2005 No. 425**

**The Crime (International Co-operation) Act  
2003 (Exercise of Functions) Order 2005**

**PART 3**

**FUNCTIONS OF A CUSTOMS OFFICER**

**Extension of statutory search powers**

**9.** Any function conferred on a constable by virtue of section 16 in relation to a warrant or order under section 8 of, or Schedule 1 to the Police and Criminal Evidence Act 1984<sup>(1)</sup> may be exercised by a customs officer instead of a constable where—

- (a) the Commissioners have given a direction under section 13, or
- (b) any such function is to be exercised by a customs officer for the purposes of an investigation relating wholly or mainly to a relevant offence by an international joint investigation team of which he is a member.

**Applying for and executing a search warrant**

**10.** Any function conferred on a constable under section 17 (applying for and executing a search warrant) may be exercised by a customs officer instead of a constable where the Commissioners have given a direction under section 13 that an application be made for a search warrant.

**Sending seized evidence**

**11.** Any function conferred under section 19 (sending seized evidence) on a constable in England and Wales or Northern Ireland must be exercised by a customs officer instead of a constable where the evidence has been seized by a customs officer under—

- (a) a search warrant or production order issued by virtue of section 16, or
- (b) a search warrant issued under section 17.

**References**

**12.** For the purposes of this Order any reference to a constable in sections 16, 17 or 19 shall be taken to include a customs officer.

**Revocation**

**13.** The Criminal Justice (International Co-operation) Act 1990 (Exercise of Powers) Order 1991<sup>(2)</sup> is hereby revoked.

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(1) 1984 c. 60. There is an amendment to section 8 not relevant to this Order. Schedule 1, paragraph 5 has been amended by Schedule 2, paragraph 14 to the Criminal Justice and Police Act 2001 (c. 16).  
(2) S.I.1991/1297.

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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