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STATUTORY INSTRUMENTS

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**2006 No. 57**

**PROCEEDS OF CRIME**

**The Proceeds of Crime Act 2002 (References to  
Financial Investigators) (Amendment) Order 2006**

<i>Made</i>	- - - -	<i>14th January 2006</i>
<i>Laid before Parliament</i>		<i>23rd January 2006</i>
<i>Coming into force</i>	- -	<i>1st March 2006</i>

The Secretary of State, in exercise of the powers conferred upon him by sections 453 and 459(2) of the Proceeds of Crime Act 2002<sup>(1)</sup>, makes the following Order:

1. This Order may be cited as the Proceeds of Crime Act 2002 (References to Financial Investigators) (Amendment) Order 2006 and shall come into force on 1st March 2006.

2. The Proceeds of Crime Act 2002 (References to Financial Investigators) Order 2003<sup>(2)</sup> is amended as follows.

3. In article 3, after the entry in relation to “local authority” insert—

““the Royal Mail” means the company Royal Mail Group Plc (registered number 4138203);  
“SOCA” means the Serious Organised Crime Agency established under section 1 of, and Schedule 1 to, the Serious Organised Crime and Police Act 2005<sup>(3)</sup>.”

4.—(1) In the entry in column 2 of the Schedule in respect of section 42(2)(c), omit “or” at the end of subparagraph (i) and subparagraph (k).

(2) At the end of the entry in column 2 of the Schedule in respect of section 42(2)(c) insert—

“(p) a member of staff of SOCA;  
(q) a member of staff of the Royal Mail;  
(r) a member of staff of the Home Office.”.

5.—(1) In the entry in column 2 of the Schedule in respect of section 68(3)(c), omit “or” at the end of subparagraph (f) and subparagraph (h).

(2) After subparagraph (k) in the entry in column 2 of the Schedule in respect of section 68(3)(c) insert—

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(1) 2002 c. 29.

(2) S.I. 2003/172, that Order has been amended by S.I. 2004/8, S.I. 2004/3339 and S.I. 2005/386.

(3) 2005 c. 15.

- “(l) SOCA and is not below the grade of grade 2 Senior Manager;
- (m) the Royal Mail and is not below the grade of Business Personal Contract Holder Grade 9;
- (n) the Home Office and is not below the grade of Senior Executive Officer.”.

**6.—**(1) In the entry in column 2 of the Schedule in respect of section 191(2)(c), omit “or” at the end of subparagraph (g).

(2) At the end of the entry in column 2 of the Schedule in respect of section 191(2)(c) insert—

- “(m) a member of staff of SOCA;
- (n) a member of staff of the Royal Mail;
- (o) a member of staff of the Home Office.”.

**7.—**(1) In the entry in column 2 of the Schedule in respect of section 216(3)(c), omit “or” at the end of subparagraph (c).

(2) After subparagraph (g) in the entry in column 2 of the Schedule in respect of section 216(3)(c) insert—

- “(h) SOCA and is not below the grade of grade 2 Senior Manager;
- (i) the Royal Mail and is not below the grade of Business Personal Contract Holder Grade 9;
- (j) the Home Office and is not below the grade of Senior Executive Officer.”.

**8.—**(1) In the entry in column 2 of the Schedule in respect of section 378(1)(b) in relation to England and Wales, omit “or” at the end of subparagraph (h) and subparagraph (j).

(2) After subparagraph (m) of the entry in column 2 of the Schedule in respect of section 378(1)(b) in relation to England and Wales insert—

- “(n) SOCA;
- (o) the Royal Mail;
- (p) the Home Office.”.

**9.—**(1) In the entry in column 2 of the Schedule in respect of section 378(1)(b) in relation to Northern Ireland, omit “or” at the end of subparagraph (f).

(2) After subparagraph (j) of the entry in column 2 of the Schedule in respect of section 378(1)(b) in relation to Northern Ireland insert—

- “(k) SOCA;
- (l) the Royal Mail;
- (m) the Home Office.”.

**10.—**(1) In the entry in column 2 of the Schedule in respect of section 378(2)(d) in relation to England and Wales, omit “or” at the end of subparagraph (g) and subparagraph (i).

(2) After subparagraph (l) of the entry in column 2 of the Schedule in respect of section 378(2)(d) in relation to England and Wales insert—

- “(m) SOCA and is not below the grade of grade 2 Senior Manager;
- (n) the Royal Mail and is not below the grade of Business Personal Contract Holder Grade 9;
- (o) the Home Office and is not below the grade of Senior Executive Officer.”.

**11.—**(1) In the entry in column 2 of the Schedule in respect of section 378(2)(d) in relation to Northern Ireland, omit “or” at the end of subparagraph (d).

(2) After subparagraph (h) of the entry in column 2 of the Schedule in respect of section 378(2) (d) in relation to Northern Ireland insert—

- “(i) SOCA and is not below the grade of grade 2 Senior Manager;
- (j) the Royal Mail and is not below the grade of Business Personal Contract Holder Grade 9;
- (k) the Home Office and is not below the grade of Senior Executive Officer.”.

**12.**—(1) In the entry in column 2 of the Schedule in respect of section 378(4)(a) in relation to England and Wales, omit “or” at the end of subparagraph (d).

(2) After subparagraph (h) of the entry in column 2 of the Schedule in respect of section 378(4) (a) in relation to England and Wales insert—

- “(i) SOCA;
- (j) the Royal Mail;
- (k) the Home Office.”.

**13.**—(1) In the entry in column 2 of the Schedule in respect of section 378(4)(a) in relation to Northern Ireland, omit “or” at the end of subparagraph (c).

(2) After subparagraph (h) of the entry in column 2 of the Schedule in respect of section 378(4) (a) in relation to Northern Ireland insert—

- “(i) SOCA;
- (j) the Royal Mail;
- (k) the Home Office.”.

**14.**—(1) In the entry in column 2 of the Schedule in respect of section 378(6)(c) in relation to England and Wales, omit “or” at the end of subparagraph (c).

(2) After subparagraph (g) of the entry in column 2 of the Schedule in respect of section 378(6) (c) in relation to England and Wales insert—

- “(h) SOCA and is not below the grade of grade 2 Senior Manager;
- (i) the Royal Mail and is not below the grade of Business Personal Contract Holder Grade 9;
- (j) the Home Office and is not below the grade of Senior Executive Officer.”.

**15.**—(1) In the entry in column 2 of the Schedule in respect of section 378(6)(c) in relation to Northern Ireland, omit “or” at the end of subparagraph (b).

(2) After subparagraph (g) of the entry in column 2 of the Schedule in respect of section 378(6) (c) in relation to Northern Ireland insert—

- “(h) SOCA and is not below the grade of grade 2 Senior Manager;
- (i) the Royal Mail and is not below the grade of Business Personal Contract Holder Grade 9;
- (j) the Home Office and is not below the grade of Senior Executive Officer.”.

Home Office  
14th January 2006

*Paul Goggins*  
Parliamentary Under-Secretary of State

**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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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order amends the Proceeds of Crime Act 2002 (References to Financial Investigators) Order 2003 (“the 2003 Order”). By virtue of article 2 of the 2003 Order, a reference to an accredited financial investigator in the provisions of the Proceeds of Crime Act 2002 which is listed in column 1 of the Schedule to that Order is a reference to such an investigator as falls within the description which is specified in relation to that provision in column 2 of that Schedule.

Articles 4, 5, 8, 10, 12 and 14 of this Order amend the Schedule to the 2003 Order to add references that apply in England and Wales to the Serious Organised Crime Agency (as defined by the amendment made by article 3 to this Order), the Royal Mail (as defined by the amendment made by article 3 to this Order) and the Home Office. Articles 6, 7, 9, 11, 13 and 15 of this Order amend the Schedule to the 2003 Order to add references that apply in Northern Ireland to the Serious Organised Crime Agency, the Royal Mail and the Home Office.