

2015 No. 1752

PROCEEDS OF CRIME, ENGLAND AND WALES

PROCEEDS OF CRIME, NORTHERN IRELAND

**The Proceeds of Crime Act 2002 (External Investigations)
(Amendment) (No. 2) Order 2015**

Made - - - - - *8th October 2015*

Laid before Parliament *15th October 2015*

Coming into force - - - *30th November 2015*

At the Court at Buckingham Palace, the 8th day of October 2015

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, in exercise of the powers conferred upon Her by sections 445 and 459(2) of the Proceeds of Crime Act 2002(a), is pleased, by and with the advice of Her Privy Council, to order as follows.

Citation and commencement

1.—(1) This Order may be cited as the Proceeds of Crime Act 2002 (External Investigations) (Amendment) (No. 2) Order 2015.

(2) This Order comes into force on 30th November 2015.

Interpretation

2. In this Order, “the 2014 Order” means the Proceeds of Crime Act 2002 (External Investigations) Order 2014(b).

Amendment of article 2 of the 2014 Order (interpretation)

3. Article 2(1) of the 2014 Order is amended as follows—

(a) in the definition of “appropriate officer”, before “a constable” insert “an accredited financial investigator,”; and

(a) 2002 c. 29. Section 445 was amended by S.I. 2010/976, art. 12, Schedule 14, paragraphs 47 and 71; by the Serious Crime Act 2007 (c. 27), s. 74(2)(f) and Schedule 8, Part 6, paragraphs 121 and 139; by the Crime and Courts Act 2013 (c. 22), s. 15(3) and Schedule 8, Part 2, paragraphs 108 and 150; and by S.I. 2014/834, art. 3(3)(b) and Schedule 2, paragraphs 19 and 33.

(b) S.I. 2014/1893.

- (b) in the definition of “senior appropriate officer”—
 - (i) in paragraph (a) omit “or”; and
 - (ii) after paragraph (a) insert—
 - “(aa) an accredited financial investigator who is under the direction of a relevant Director as defined in section 352(5A) of the Act(a).”.

Amendment of article 4 of the 2014 Order (action on receipt of a request in relation to an external investigation)

4. Article 4 of the 2014 Order is amended as follows—
- (a) in paragraph (1), after “NCA,” insert “a relevant Director as defined in section 352(5A) of the Act (“a relevant Director”),”;
 - (b) in paragraph (2), after “NCA,” insert “a relevant Director,”.

Richard Tilbrook
Clerk of the Privy Council

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Proceeds of Crime Act 2002 (External Investigations) Order 2014 (S.I. 2014/1893) to enable an accredited financial investigator to exercise the powers of an appropriate officer under that Order.

An impact assessment has not been prepared for this instrument as no impact on the costs of business or the voluntary sector is foreseen.

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(a) This definition applies for the purposes of Part 8 of the Act.

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