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STATUTORY INSTRUMENTS

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**2018 No. 847**

**The Criminal Procedure (Amendment No. 2) Rules 2018**

**Amendments to the Criminal Procedure Rules 2015**

**13.** In Part 47 (Investigation orders and warrants), in rule 47.32 (Application for warrant under section 352 of the Proceeds of Crime Act 2002)—

- (a) in paragraph (2)(a) after “a detained cash investigation” insert “, a detained property investigation, a frozen funds investigation”;
- (b) for paragraph (2)(b)(ii) substitute—
  - “(ii) in the case of a detained cash investigation, a detained property investigation or a frozen funds investigation, the cash or property involved, or the money held in the frozen account, was obtained through unlawful conduct or is intended to be used in unlawful conduct;”;
- (c) in paragraph (4)(b)—
  - (i) for “the person under investigation” substitute “the person, cash, property or money under investigation”;
  - (ii) for paragraph (4)(b)(iii) substitute—
    - “(iii) in the case of a detained cash investigation, a detained property investigation or a frozen funds investigation into the derivation of cash, property or money, relates to the question whether that cash, property or money is recoverable property;”, and
  - (iii) for paragraph (4)(b)(iv) substitute—
    - “(iv) in the case of a detained cash investigation, a detained property investigation or a frozen funds investigation into the intended use of cash, property or money, relates to the question whether that cash, property or money is intended by any person to be used in unlawful conduct.”.