STATUTORY INSTRUMENTS

2017 No. 991 (C. 92)

PROCEEDS OF CRIME PREVENTION AND SUPPRESSION OF TERRORISM

The Criminal Finances Act 2017 (Commencement No. 2 and Transitional Provisions) Regulations 2017

Made - - - - 12th October 2017

The Secretary of State makes the following Regulations in exercise of the powers conferred by sections 58(1), (7) and (8) of the Criminal Finances Act 2017(**1**):

Citation, interpretation and extent

1.—(1) These Regulations may be cited as the Criminal Finances Act 2017 (Commencement No. 2 and Transitional Provisions) Regulations 2017.

(2) In these Regulations—

"TACT" means the Terrorism Act 2000(**2**);

"POCA" means the Proceeds of Crime Act 2002(**3**);

"the Act" means the Criminal Finances Act 2017.

(3) Regulations 2(a), (d), (l), (t) and (v) do not extend to Northern Ireland.

(**1**) 2017 c. 22

(**2**) 2000 c. 11. Section 21G of the Terrorism Act 2000 ("TACT") was inserted by S.I. 2007/3398 and amended by S.I. 2017/692. Section 120C was inserted by section 43 of the Criminal Finances Act 2017 (c. 22) ("the Act"), and is in force for certain purposes (see section 58(6)(d) of the Act). Paragraph 6 of Schedule 14 to TACT was amended by section 2(4) and (6) of the Anti-terrorism, Crime and Security Act 2001 (c. 24).

(**3**) 2002 c. 29. Section 47S was inserted by section 55(1) and (2) of the Policing and Crime Act 2009 (c.26). Section 292 was amended by paragraph 5 of Schedule 11 to the Serious Crime Act 2007 (c. 27), paragraph 5 of Schedule 48 to the Finance Act 2013 (c. 29) and S.I. 2010/976. Section 333D was inserted by S.I. 2007/3398. Section 340 was amended by section 103(1) and (6) of, and paragraphs 168 and 174 of Schedule 4 to, the Serious Organised Crime and Police Act 2005 (c. 15) and by paragraphs 108 and 135 of Part 2 of Schedule 8 to the Crime and Courts Act 2013 (c. 22). Section 377 was amended by paragraphs 103 and 114(1) and (2) of Part 4 of Schedule 8 to the Serious Crime Act 2007 (c. 27), and by paragraphs 108 and 143 of Part 2 of Schedule 8, and paragraphs 14 and 37(1) to (3) of Part 1 of Schedule 21 to, the Crime and Courts Act 2013, and by paragraphs 1 and 17 of Schedule 48 to the Finance Act 2013, and by S.I. 2010/976. Section 377A was inserted by paragraphs 103 and 115 of Part 4 of Schedule 8 to the Serious Crime Act 2007 and amended by S.I. 2014/834. Section 443 was amended by paragraphs 121 and 137 of Part 6 of Schedule 8 to the Serious Crime Act 2007 and by paragraphs 108 and 148 of Part 2 of Schedule 8 to the Crime and Courts Act 2013.

(4) In regulation 2(r), the commencement of paragraph 37 of Schedule 5 to the Act does not extend to Northern Ireland so far as it relates to section 333D(1)(aa) and (1A) of POCA.

Provisions of the Act coming into force on 31st October 2017

2. The following provisions of the Act come into force on 31st October 2017—

(a) section 10 (power to extend moratorium period);

(b) section 11 (sharing of information within the regulated sector) so far as it applies to relevant undertakings within section 339ZG(5)(b)(**4**) of POCA;

(c) section 12 (further information orders);

(d) section 15 (forfeiture of certain personal (or moveable) property) so far as it inserts sections 303G and 303H into POCA and so far as not already in force;

(e) section 17 (Serious Fraud Office) so far as relevant to paragraphs (j) to (l) below;

(f) section 36 (sharing of information within the regulated sector) so far as it applies to relevant undertakings within section 21CF(6)(b)(**5**) of TACT;

(g) section 37 (further information orders);

(h) section 43 (enforcement in other parts of the United Kingdom) so far as not already in force;

(i) section 53 (minor and consequential amendments) so far as relevant to paragraphs (m) to (y) below;

(j) paragraph 1 of Schedule 1 (powers of members of staff of Serious Fraud Office) so far as relevant to paragraphs (k) and (l) below;

(k) paragraph 6 of Schedule 1;

(l) paragraphs 14 and 24 of Schedule 1;

(m) paragraphs 6 to 8 of Schedule 5 (minor and consequential amendments);

(n) paragraph 9 of Schedule 5 so far as relevant to paragraphs (o) and (p) below;

(o) paragraphs 10 to 12 of Schedule 5;

(p) paragraph 13 of Schedule 5 for the purpose of issuing a code of practice under paragraph 6 of Schedule 14 to TACT;

(q) paragraph 17 of Schedule 5 so far as relevant to paragraphs (r) to (v) below;

(r) paragraph 37 of Schedule 5;

(s) paragraph 38 of Schedule 5;

(t) paragraph 58 of Schedule 5;

(u) paragraph 83 of Schedule 5 so far as not already in force;

(v) paragraphs 87(3) to (6) of Schedule 5 so far as they relate to section 303G(5) or 303H(4);

(w) paragraph 89 of Schedule 5;

(x) paragraph 90 of Schedule 5 so far as relevant to paragraph (y) below;

(y) paragraph 91 of Schedule 5 so far as necessary for enabling an Act of Sederunt (court rules) to be made under section 215 of the Bankruptcy and Diligence etc. (Scotland) Act 2007(**6**)

(**4**) Section 339ZG is inserted into POCA by section 12 of the Act and is commenced in accordance with these regulations.
(**5**) Section 21CF is inserted into TACT by section 36 of the Act and is commenced in accordance with these regulations.
(**6**) 2007 Asp 3.