STATUTORY INSTRUMENTS

2015 No. 705

PROCEEDS OF CRIME

The Proceeds of Crime Act 2002 (Cash Searches: Code of Practice) (England and Wales and Scotland) Order 2015

Made - - - -	*12th March 2015*
Coming into force - -	*1st June 2015*

This Order is made in exercise of the powers conferred by sections 292(4) and (5) and 459(2) of the Proceeds of Crime Act 2002(**1**) ("the Act").

The Secretary of State has:

(1) in accordance with section 292(5) of the Act, revised the code of practice in relation to England and Wales and Scotland in connection with the exercise by—

(a) an officer of Revenue and Customs,

(b) in relation to England and Wales, an accredited financial investigator, or

(c) in relation to England and Wales, a constable(**2**),

of the powers conferred by virtue of section 289 of the Act(**3**) ("the revised code of practice")(**4**);

(2) in accordance with section 292(2) of the Act, published a draft of the revised code of practice, considered any representations made about the draft by the Scottish Ministers, the Department of Justice or any other person and, as she thought appropriate, modified the draft accordingly; and

(3) in accordance with section 292(3) of the Act, laid a draft of the revised code of practice before Parliament.

In accordance with section 459(6)(a) of the Act, a draft of this instrument has been laid before and approved by a resolution of each House of Parliament.

Accordingly, the Secretary of State makes the following Order:

(**1**) 2002 c. 29. Section 292 is 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.

(**2**) Section 24 of the UK Borders Act 2007 (c. 30) applies Chapter 3 of Part 5 of the Proceeds of Crime Act 2002 to an immigration officer as it applies in relation to a constable subject to modifications made by that section; section 292 is modified by section 24(d).

(**3**) Section 289 is amended by paragraph 2 of Schedule 48 to the Financial Services Act 2013, paragraph 2 of Schedule 11 to the Serious Crime Act 2007, section 63 of the Policing and Crime Act 2009 (c. 26) and S.I. 2010/976.

(**4**) The code of practice was previously brought into operation on 30th December 2002 in accordance with S.I. 2002/3115, and was revised by S.I. 2008/947.