Draft Order laid before Parliament under section 459(6)(a) of the Proceeds of Crime Act 2002, for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2002 No.

PROCEEDS OF CRIME

The Proceeds of Crime Act 2002 (Cash Searches: Code of Practice) Order 2002

Made - - - - December 2002

Coming into force in accordance with article 1

Whereas—

(1) in pursuance of section 292 of the Proceeds of Crime Act 2002(**1**) ("the Act"), the Secretary of State is required to make a code of practice in connection with the exercise by customs officers and (in relation to England and Wales and Northern Ireland) constables of the powers conferred by section 289 of the Act (searches for cash);

(2) in pursuance of section 292(2) of the Act, the Secretary of State has published a draft of the code of practice, has considered representations made to him about the draft by the Scottish Ministers and other persons and has modified the draft of the code in the light of the representations;

(3) in pursuance of section 292(3) of the Act, the Secretary of State has laid a draft of the code of practice before Parliament;

(4) a draft of this Order has been laid before Parliament and approved by a resolution of each House, in accordance with section 459(6)(a) of the Act;

Now, therefore, the Secretary of State, in exercise of the powers conferred on him by section 292(4) of the Act, hereby makes the following Order:

1. This Order may be cited as the Proceeds of Crime Act 2002 (Cash Searches: Code of Practice) Order 2002 and shall come into force on 30th December 2002 or, if this Order has not been made by 29th December 2002, on the day after the day on which it is made.

2. The code of practice entitled "Code of Practice for Constables and Customs Officers under the Proceeds of Crime Act 2002" laid in draft before Parliament on 25th November 2002 shall come into operation on 30th December 2002 or, if this Order has not been made by 29th December 2002, on the day after the day on which this Order is made.

(**1**) 2002 c. 29.