

2014 No. 3098 (C. 134)

PROCEEDS OF CRIME

**The Crime and Courts Act 2013 (Commencement No. 11) Order
2014**

Made - - - - *20th November 2014*

The Secretary of State makes the following Order in exercise of the powers conferred by section 61(2) of the Crime and Courts Act 2013(a).

In accordance with section 61(10) of that Act, the Secretary of State has consulted the Scottish Ministers in relation to the partial commencement of section 49 and Schedule 19 by article 3.

Citation and interpretation

1.—(1) This Order may be cited as the Crime and Courts Act 2013 (Commencement No. 11) Order 2014.

(2) In this Order—

“the 2013 Act” means the Crime and Courts Act 2013; and

“the 2002 Act” means the Proceeds of Crime Act 2002(b).

Provisions being brought fully into force

2. The following provisions of the 2013 Act come into force on 22nd November 2014—

- (a) section 55(3) in so far as it relates to the provision in paragraph (b);
- (b) section 55(4);
- (c) section 55(14) in so far as it relates to the provisions in paragraphs (d) and (e) of this article;
- (d) paragraph 14 of Part 1 of Schedule 21 in so far as it relates to the provisions in paragraph (e) of this article;
- (e) paragraphs 15 to 18 and 20 to 29 of Part 1 of Schedule 21.

Provisions being brought into force for the purpose of making subordinate legislation

3.—(1) Subject to paragraph (2), the provisions of the 2013 Act in paragraph (3) come into force on 22nd November 2014, to the extent specified.

(2) The provisions in paragraph (3) come into force only so far as is necessary for the purpose of making rules of court.

(3) The provisions are—

(a) 2013 c. 22.

(b) 2002 c. 29.

- (a) section 49(b) in so far as it relates to the provisions in sub-paragraphs (b) to (d);
- (b) paragraph 24 of Part 2 of Schedule 19 in so far as it relates to the provisions in sub-paragraphs (c) and (d);
- (c) paragraph 26 of Part 2 of Schedule 19 in so far as it inserts section 375A(5), (10) and (11) into the 2002 Act; and
- (d) paragraph 28 of Part 2 of Schedule 19 in so far as it inserts section 408A(5), (10) and (11) into the 2002 Act.

Home Office
20th November 2014

Karen Bradley
Parliamentary Under Secretary of State

EXPLANATORY NOTE

(This note is not part of the Order)

This Order is the eleventh commencement order made under the Crime and Courts Act 2013 (c. 22) (“the 2013 Act”).

Article 2 brings into force on 22nd November 2014 certain amendments to the Proceeds of Crime Act 2002 (c. 29) (“the 2002 Act”) made by the 2013 Act, relating to the exercise of powers by ‘appropriate officers’ under the 2002 Act. The amendments add immigration officers to the list of appropriate officers able to exercise the powers, and make related consequential amendments in relation to the definition of who is a ‘senior officer’ in this context. The amendments also limit the exercise of the powers by immigration officers to their exercise in relation to unlawful conduct in respect of certain immigration matters only. The powers concerned are search and seizure powers and power to retain seized property.

Article 3 brings certain provisions partially into force on 22nd November 2014, for the purpose of making rules of court only. Sections 375A and 408A of the 2002 Act concern obtaining evidence overseas in relation to investigations under Part 8 of that Act, where a judge wishes to request assistance because the judge thinks that there is evidence in a country or territory outside the UK which is relevant to the investigation. Section 375A concerns applications to courts in England, Wales and Northern Ireland, and section 408A concerns applications to courts in Scotland. Sections 375A(10) and 408A(10) which enable the making of rules of court are partially commenced, along with the parts of those sections containing relevant definitions.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 1(1) and (2)	27th May 2013	2013/1042
Section 1(3) to (11)	7th October 2013	2013/1682
Section 1(12) (partially)	27th May 2013	2013/1042
Section 1(12), so far as not already in force	7th October 2013	2013/1682
Section 2	7th October 2013	2013/1682
Section 3	27th May 2013	2013/1042
Section 4(1)	7th October 2013	2013/1682
Section 4(2) to (9)	27th May 2013	2013/1042
Section 4(10) (partially)	27th May 2013	2013/1042
Section 4(10), so far as not already in force	7th October 2013	2013/1682
Section 5(1) to (9), (11) and (12)	7th October 2013	2013/1682
Section 5(10) (partially)	8th May 2013	2013/1042

Section 5(10), so far as not already in force	7th October 2013	2013/1682
Section 6(1), (3) and (4)	7th October 2013	2013/1682
Section 6(2)	27th May 2013	2013/1042
Section 7	7th October 2013	2013/1682
Section 8(1) to (5)	7th October 2013	2013/1682
Section 8(6) (partially)	8th May 2013	2013/1042
Section 8(6), so far as not already in force	7th October 2013	2013/1682
Section 9(1) to (3) and (5) to (8)	7th October 2013	2013/1682
Section 9(4) (partially)	8th May 2013	2013/1042
Section 9(4) (partially)	27th May 2013	2013/1042
Section 9(4), so far as not already in force	7th October 2013	2013/1682
Section 10	7th October 2013	2013/1682
Section 11(1) to (5), (7) and (8)	7th October 2013	2013/1682
Section 11(6) (partially)	8th May 2013	2013/1042
Section 11(6), so far as not already in force	7th October 2013	2013/1682
Section 11(9) (partially)	8th May 2013	2013/1042
Section 11(9), so far as not already in force	7th October 2013	2013/1682
Section 12	7th October 2013	2013/1682
Section 13	7th October 2013	2013/1682
Section 14	8th May 2013	2013/1042
Section 15(1) and (2)	7th October 2013	2013/1682
Section 15(3) (partially)	8th May 2013	2013/1042
Section 15(3) (partially)	27th May 2013	2013/1042
Section 15(3) (partially)	7th October 2013	2013/1682
Section 16	8th May 2013	2013/1042
Section 17(4)	4th September 2013	2013/2200
Section 17(5) (partially)	1st October 2013	2013/1725
Section 17, so far as not already in force	22nd April 2014	2014/954
Section 20 (partially)	15th July 2013	2013/1725
Section 20 (partially)	4th September 2013	2013/2200
Section 20 (partially)	1st October 2013	2013/2200
Section 21	1st October 2013	2013/2200
Section 22	1st November 2013	2013/2200
Section 23	15th July 2013	2013/1725
Section 24	7th January 2014	2013/3176
Section 25(4) (partially)	15th July 2013	2013/1725
Section 25(5) and (8)	15th July 2013	2013/1725
Section 25, so far as not already in force	6th April 2014	2014/830
Section 27	11th December 2013	2013/2981
Section 28	22nd April 2014	2014/954
Section 29	15th July 2013	2013/1725
Section 30	1st October 2013	2013/2200
Section 32	15th July 2013	2013/1725
Section 44 (partially)	11th December 2013	2013/2981
Section 45	24th February 2014	2014/258
Section 50 (partially)	29th July 2013	2013/1682
Section 50 (partially, as to England and Wales)	29th July 2013	2013/1682
Section 50 (partially)	18th September 2013	2013/2349
Section 50 (partially, as to England and Wales and Northern Ireland)	14th October 2013	2013/2349
Section 50 (partially, as to Northern Ireland)	14th October 2013	2013/2349
Section 51	8th May 2013	2013/1042

Section 52	25th June 2013	2013/1042
Section 53	25th June 2013	2013/1042
Section 54	25th June 2013	2013/1042
Section 55(1) and (2)	25th June 2013	2013/1042
Section 55(3) (partially)	25th June 2013	2013/1042
Section 55(5)	25th June 2013	2013/1042
Section 55(6) to (13)	25th June 2013	2013/1042
Section 55(14) (partially)	25th June 2013	2013/1042
Section 57	1st February 2014	2013/2981
Schedule 1, paragraph 7	27th May 2013	2013/1042
Schedule 1, so far as not already in force	7th October 2013	2013/1682
Schedule 2, paragraphs 1, 4 and 5	27th May 2013	2013/1042
Schedule 2, so far as not already in force	7th October 2013	2013/1682
Schedule 3, paragraph 34	8th May 2013	2013/1042
Schedule 3, so far as not already in force	7th October 2013	2013/1682
Schedule 4, paragraph 1	8th May 2013	2013/1042
Schedule 4, so far as not already in force	7th October 2013	2013/1682
Schedule 5, paragraphs 5, 27, 28, 29 and 30	8th May 2013	2013/1042
Schedule 5, paragraph 4	27th May 2013	2013/1042
Schedule 5, so far as not already in force	7th October 2013	2013/1682
Schedule 6, paragraph 5(5) and (6)	8th May 2013	2013/1042
Schedule 6, so far as not already in force	7th October 2013	2013/1682
Schedule 7	7th October 2013	2013/1682
Schedule 8, paragraphs 1 to 5 and 13	8th May 2013	2013/1042
Schedule 8, paragraphs 101 to 103	27th May 2013	2013/1042
Schedule 8, paragraphs 6 to 10, 12 to 100 and 104 to 190	7th October 2013	2013/1682
Schedule 9, paragraphs 21 (except for subparagraph (3)), 27 and 30	1st October 2013	2013/1725
Schedule 9, so far as not already in force	22nd April 2014	2014/954
Schedule 10	22nd April 2014	2014/954
Schedule 11	22nd April 2014	2014/954
Schedule 13, Parts 2, 6 and 7	15th July 2013	2013/1725
Schedule 13, Part 3	4th September 2013	2013/2200
Schedule 13, Parts 1 and 4 (partially)	1st October 2013	2013/2200
Schedule 14	1st October 2013	2013/2200
Schedule 16, Parts 1 to 3 and 5 to 7, and so far as extending to the United Kingdom, Part 8 except paragraph 37	11th December 2013	2013/2981
Schedule 17	24th February 2014	2014/258
Schedule 20, paragraphs 16 to 29	29th July 2013	2013/1682
Schedule 20, paragraphs 10 to 15, as to England and Wales	29th July 2013	2013/1682
Schedule 20, paragraphs 3 and 6 (partially)	18th September 2013	2013/2349
Schedule 20, Part 1, so far as not already in force as to England and Wales and Northern Ireland	14th October 2013	2013/2349
Schedule 20, Part 2, as to Northern Ireland	14th October 2013	2013/2349
Schedule 21, paragraphs 1 to 13	25th June 2013	2013/1042
Schedule 21, paragraph 14 (partially)	25th June 2013	2013/1042
Schedule 21, paragraphs 19 and 30 to 38	25th June 2013	2013/1042
Schedule 21, paragraphs 39 to 50	25th June 2013	2013/1042

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