



# Criminal Justice and Police Act 2001

## 2001 CHAPTER 16

### PART 2

#### POWERS OF SEIZURE

##### *Supplemental provisions of Part 2*

#### 67 Application to [<sup>F1</sup>officers of Revenue and Customs]

The powers conferred by section 114(2) of the 1984 Act and Article 85(1) of the Police and Criminal Evidence (Northern Ireland) Order 1989 (application of provisions relating to police officers to [<sup>F2</sup>officers of Revenue and Customs]) shall have effect in relation to the provisions of this Part as they have effect in relation to the provisions of that Act or, as the case may be, that Order.

#### Textual Amendments

- F1** Words in s. 67 heading substituted (8.11.2007) by [Finance Act 2007 \(c. 11\), s. 84\(4\), Sch. 22 para. 2; S.I. 2007/3166, art. 3\(a\)](#)
- F2** Words in s. 67 substituted (8.11.2007) by [Finance Act 2007 \(c. 11\), s. 84\(4\), Sch. 22 para. 2; S.I. 2007/3166, art. 3\(a\)](#)

#### [<sup>F3</sup>67A Application to Welsh Revenue Authority

- (1) The Welsh Ministers may by regulations—
- direct that any provision of this Part is to apply, subject to such modifications as the regulations may specify, to investigations of offences conducted by the Welsh Revenue Authority;
  - make provision permitting a person exercising a function conferred on the Welsh Revenue Authority by the regulations to use reasonable force in the exercise of such a function.

---

*Changes to legislation:* There are currently no known outstanding effects for the Criminal Justice and Police Act 2001, Cross Heading: Supplemental provisions of Part 2. (See end of Document for details)

---

- (2) Regulations under subsection (1) may—
- (a) make provision that applies generally or only in specified cases,
  - (b) make different provision for different cases or circumstances, and
  - (c) may, in modifying a provision, in particular impose conditions on the exercise of a function.
- (3) The power to make regulations under subsection (1) is exercisable by statutory instrument.
- (4) A statutory instrument containing regulations under subsection (1) may not be made unless a draft of the instrument has been laid before, and approved by a resolution of, the National Assembly for Wales.]

#### Textual Amendments

**F3** S. 67A inserted (E.W.) (25.1.2018) by [Tax Collection and Management \(Wales\) Act 2016 \(anaw 6\)](#), [ss. 185\(2\), 194\(2\)](#); [S.I. 2018/33](#), [art. 2\(j\)](#)

## 68 Application to Scotland

- (1) In the application of this Part to Scotland—
- (a) subsection (4) of section 54 and subsection (10) of section 59 shall each have effect with the omission of paragraph (c) of that subsection;
  - (b) section 55 and subsection (3)(c) of section 59 shall be omitted; and
  - (c) Schedule 1 shall have effect as if the powers specified in that Schedule did not include any power of seizure under any enactment mentioned in that Schedule, so far as it is exercisable in Scotland by a constable, except a power conferred by an enactment mentioned in subsection (2).
- (2) Those enactments are—
- (a) section 43(5) of the Gaming Act 1968 (c. 65);
  - <sup>F4</sup>(b) .....
  - (c) section 448(3) of the Companies Act 1985 (c. 6);
  - <sup>F4</sup>(d) .....
  - <sup>F4</sup>(e) .....
  - (f) [<sup>F5</sup>sections 122D(3) and 176(5)] of the Financial Services and Markets Act 2000 (c. 8).
  - [<sup>F6</sup>(g) [<sup>F7</sup>regulation 70(7) of the Money Laundering, Terrorist Financing and Transfer of Funds (Information on the Payer) Regulations 2017]; and]
  - <sup>F8</sup>(h) .....

#### Textual Amendments

**F4** S. 68(2)(b)(d)(e) repealed (1.12.2001) by [S.I. 2001/3649](#), [arts. 1, 364\(d\)](#)

**F5** Words in s. 68(2)(f) substituted (3.7.2016) by [The Financial Services and Markets Act 2000 \(Market Abuse\) Regulations 2016 \(S.I. 2016/680\)](#), [regs. 1, 13\(4\)](#)

**F6** S. 68(2)(g)(h) inserted (15.12.2007) by [The Transfer of Funds \(Information on the Payer\) Regulations 2007 \(S.I. 2007/3298\)](#), [reg. 19](#), [Sch. 3 para. 2](#)

**Changes to legislation:** There are currently no known outstanding effects for the Criminal Justice and Police Act 2001, Cross Heading: Supplemental provisions of Part 2. (See end of Document for details)

- F7** Words in s. 68(2)(g) substituted (26.6.2017) by [The Money Laundering, Terrorist Financing and Transfer of Funds \(Information on the Payer\) Regulations 2017 \(S.I. 2017/692\)](#), reg. 1(2), **Sch. 7 para. 5(a)(i)** (with regs. 8, 15)
- F8** S. 68(2)(h) omitted (26.6.2017) by virtue of [The Money Laundering, Terrorist Financing and Transfer of Funds \(Information on the Payer\) Regulations 2017 \(S.I. 2017/692\)](#), reg. 1(2), **Sch. 7 para. 5(a)(ii)** (with regs. 8, 15)

## 69 Application to powers designated by order

- (1) The Secretary of State may by order—
- provide for any power designated by the order to be added to those specified in Schedule 1 or section 63(2);
  - make any modification of the provisions of this Part which the Secretary of State considers appropriate in consequence of any provision made by virtue of paragraph (a);
  - make any modification of any enactment making provision in relation to seizures, or things seized, under a power designated by an order under this subsection which the Secretary of State considers appropriate in consequence of any provision made by virtue of that paragraph.
- (2) Where the power designated by the order made under subsection (1) is a power conferred in relation to Scotland, the Secretary of State shall consult the Scottish Ministers before making the order.
- [<sup>F9</sup>(2A) Where the power designated by the order made under subsection (1) is a power conferred in relation to Northern Ireland, the Secretary of State shall consult the Department of Justice in Northern Ireland before making the order.]
- (3) The power to make an order under subsection (1) shall be exercisable by statutory instrument; and no such order shall be made unless a draft of it has been laid before Parliament and approved by a resolution of each House.
- (4) In this section “modification” includes any exclusion, extension or application.

### Textual Amendments

- F9** S. 69(2A) inserted (12.4.2010) by [The Northern Ireland Act 1998 \(Devolution of Policing and Justice Functions\) Order 2010 \(S.I. 2010/976\)](#), art. 1(2), **Sch. 14 para. 46(3)** (with arts. 28-31)

## 70 Consequential applications and amendments of enactments

Schedule 2 (which applies enactments in relation to provision made by this Part and contains minor and consequential amendments) shall have effect.

**Changes to legislation:**

There are currently no known outstanding effects for the Criminal Justice and Police Act 2001,  
Cross Heading: Supplemental provisions of Part 2.