

Changes to legislation: There are currently no known outstanding effects for the Crime and Courts Act 2013, Part 1. (See end of Document for details)

SCHEDULES

SCHEDULE 1

THE NCA & NCA OFFICERS

PART 1

THE NCA

Functions exercisable on behalf of Crown

1 NCA functions are exercisable on behalf of the Crown.

Commencement Information

11 Sch. 1 para. 1 in force at 7.10.2013 by [S.I. 2013/1682](#), [art. 3\(b\)](#)

Efficiency and effectiveness

2 It is the duty of the Director General to secure that NCA functions are discharged efficiently and effectively.

Commencement Information

12 Sch. 1 para. 2 in force at 7.10.2013 by [S.I. 2013/1682](#), [art. 3\(b\)](#)

Financial year

3 (1) The first financial year of the NCA is the period that—
(a) begins with the day on which section 1 comes into force, and
(b) ends with the following 31 March.
(2) After that, the financial year of the NCA is the period of 12 months ending with 31 March.

Commencement Information

13 Sch. 1 para. 3 in force at 7.10.2013 by [S.I. 2013/1682](#), [art. 3\(b\)](#)

Charging

4 (1) The NCA may charge a person for any service provided at the person's request.

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- (2) This paragraph has effect subject to Part 5 of Schedule 3 (payment for tasks, assistance or facilities).
- (3) In this paragraph “service” means a service of any kind (including the provision of facilities) which is provided by means of the exercise of any NCA function.

Commencement Information

I4 Sch. 1 para. 4 in force at 7.10.2013 by [S.I. 2013/1682](#), [art. 3\(b\)](#)

Activities not limited to dealing with serious or organised crime

- 5 (1) For the purposes of the discharge of NCA functions which relate to organised crime or serious crime, an NCA officer may, in particular, carry on activities in relation to any kind of crime (whether or not serious or organised).
- (2) In circumstances in which an NCA officer reasonably suspects that an offence is about to be, or is being, committed, that officer is not prevented from exercising powers merely because the offence does not relate to organised crime or serious crime.

Commencement Information

I5 Sch. 1 para. 5 in force at 7.10.2013 by [S.I. 2013/1682](#), [art. 3\(b\)](#)

Activities in Scotland

- 6 (1) An NCA officer may only carry out activities in Scotland in relation to an offence which an NCA officer suspects has been committed (or is being committed) if the NCA officer does so with the agreement of the Lord Advocate.
- (2) In carrying out such activities in Scotland, an NCA officer must comply with any direction (whether general or specific) given by the Lord Advocate or the procurator fiscal.
- (3) If an NCA officer suspects that an offence has been committed (or is being committed) in Scotland, the NCA officer must report the matter to the procurator fiscal (or ensure that the matter is so reported by another NCA officer) as soon as is practicable.

Commencement Information

I6 Sch. 1 para. 6 in force at 7.10.2013 by [S.I. 2013/1682](#), [art. 3\(b\)](#)

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[^{F1}Investigatory activity in Northern Ireland

Textual Amendments

F1 Sch. 1 para. 6A inserted (19.5.2015) by [The Crime and Courts Act 2013 \(National Crime Agency and Proceeds of Crime\) \(Northern Ireland\) Order 2015 \(S.I. 2015/798\)](#), art. 1(3), **Sch. 2 para. 15**

- 6A. (1) An NCA officer may only carry out relevant investigatory activity in Northern Ireland if one or both of the following conditions is met—
- (a) the NCA officer carries out the relevant investigatory activity with the agreement of the Chief Constable of the Police Service of Northern Ireland;
 - (b) the NCA officer carries out the relevant investigatory activity in relation to the conduct of a police officer.
- (2) The Chief Constable may arrange for a member of the Police Service of Northern Ireland at the rank of Superintendent or above to give agreement for the purposes of sub-paragraph (1)(a) (whether in all cases or in cases specified in the arrangements).
- (3) ^{F2}In this paragraph “relevant investigatory activity” means any activity which is authorised by ...—
- [a targeted equipment interference warrant under Part 5 of the Investigatory Powers Act 2016;]
 - ^{F3}(za) (a) [^{F4}an authorisation granted under any of the following provisions of the Regulation of Investigatory Powers Act 2000—
 - (i) section 28 (directed surveillance);
 - (ii) section 29 (conduct or use of a covert human intelligence source);
 - [section 29B (covert human intelligence sources: criminal conduct);]
 - ^{F5}(ia) (iii) section 32 (intrusive surveillance);
 - (b) [^{F6}an authorisation granted under] section 93 of the Police Act 1997 (authorisation in respect of property).]
- ^{F7}(4) For the purpose of sub-paragraph (1), a relevant investigatory activity falling within sub-paragraph (3)(za) is to be regarded as carried out in Northern Ireland if (and to the extent that)—
- (a) the equipment that is being interfered with under the warrant is in Northern Ireland, and
 - (b) at the time of the carrying out of the activity, the NCA officer knows that the equipment is in Northern Ireland.
- (5) Sub-paragraph (6) applies where—
- (a) in the carrying out by an NCA officer of a relevant investigatory activity falling within sub-paragraph (3)(za), equipment in Northern Ireland is interfered with under the warrant,
 - (b) at the time the interference begins, the NCA officer does not know that the equipment is in Northern Ireland, and
 - (c) at any time while the interference is continuing, the NCA officer becomes aware that the equipment is in Northern Ireland.
- (6) The NCA officer is not to be regarded as in breach of sub-paragraph (1) if the interference continues after the NCA officer becomes aware that the equipment is in

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Northern Ireland, provided that the officer informs the Chief Constable of the Police Service of Northern Ireland about the interference as soon as reasonably practicable.]

Textual Amendments

- F2** Words in Sch. 1 para. 6A(3) omitted (5.12.2018) by virtue of [Investigatory Powers Act 2016 \(c. 25\)](#), s. 272(1), **Sch. 10 para. 70(2)(a)** (with Sch. 9 paras. 7, 8, 10); S.I. 2018/1246, reg. 3(1)(iii)
- F3** Sch. 1 para. 6A(3)(za) inserted (5.12.2018) by [Investigatory Powers Act 2016 \(c. 25\)](#), s. 272(1), **Sch. 10 para. 70(2)(b)** (with Sch. 9 paras. 7, 8, 10); S.I. 2018/1246, reg. 3(1)(iii)
- F4** Words in Sch. 1 para. 6A(3)(a) substituted (5.12.2018) by [Investigatory Powers Act 2016 \(c. 25\)](#), s. 272(1), **Sch. 10 para. 70(2)(c)** (with Sch. 9 paras. 7, 8, 10); S.I. 2018/1246, reg. 3(1)(iii)
- F5** Sch. 1 para. 6A(3)(a)(iia) inserted (10.8.2021 for specified purposes, 15.9.2021 for specified purposes, 30.9.2021 in so far as not already in force) by [Covert Human Intelligence Sources \(Criminal Conduct\) Act 2021 \(c. 4\)](#), s. 9(2), **Sch. para. 14**; S.I. 2021/605, reg. 2(a)(b)(c)
- F6** Words in Sch. 1 para. 6A(3)(b) inserted (5.12.2018) by [Investigatory Powers Act 2016 \(c. 25\)](#), s. 272(1), **Sch. 10 para. 70(2)(d)** (with Sch. 9 paras. 7, 8, 10); S.I. 2018/1246, reg. 3(1)(iii)
- F7** Sch. 1 paras. 6A(4)-(6) inserted (5.12.2018) by [Investigatory Powers Act 2016 \(c. 25\)](#), s. 272(1), **Sch. 10 para. 70(3)** (with Sch. 9 paras. 7, 8, 10); S.I. 2018/1246, reg. 3(1)(iii)

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