
STATUTORY INSTRUMENTS

2014 No. 3207

**PROCEEDS OF CRIME, ENGLAND AND WALES
PROCEEDS OF CRIME, NORTHERN IRELAND**

**The Proceeds of Crime (Disclosure Orders: Confiscation
Investigations) (Specified Person) Order 2014**

<i>Made</i>	- - - -	<i>3rd December 2014</i>
<i>Laid before Parliament</i>		<i>5th December 2014</i>
<i>Coming into force</i>	- -	<i>1st January 2015</i>

The Secretary of State, in exercise of the powers conferred by section 357(9) of the Proceeds of Crime Act 2002(1), makes the following Order:

Citation and commencement

1. This Order may be cited as the Proceeds of Crime (Disclosure Orders: Confiscation Investigations) (Specified Person) Order 2014, and comes into force on 1st January 2015.

Specification of person

2. The Director of the Serious Fraud Office is specified as a prosecutor for the purposes of section 357(8)(b) of the Proceeds of Crime Act 2002.

3rd December 2014

Karen Bradley
Parliamentary Under Secretary of State
Home Office

(1) 2002 c. 29, relevant amendments to section 357 were made by paragraphs 103, 107 and 108 of Schedule 8 to the Serious Crime Act 1977 (c. 27).

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order specifies the Director of the Serious Fraud Office as a prosecutor for the purposes of section 357(8)(b) of the Proceeds of Crime Act 2002 (“the Act”).

This has the effect that the Director of the Serious Fraud Office can apply for a disclosure order under section 357(1) of the Act, after receiving a request from an accredited financial investigator conducting a confiscation investigation (see subsection (2A) of that section).

A confiscation investigation is an investigation into whether a person has benefited from his criminal conduct, or the extent or whereabouts of his benefit from his criminal conduct (section 341(1) of the Act).

A disclosure order is an order authorising an appropriate officer to give to any person that officer considers has relevant information with respect to any matter relevant to the investigation for the purposes of which the order is sought, notice in writing requiring the person to answer questions, or provide specified information or produce specified documents, or documents of a specified description (see section 357(4) of the Act).