Status: Point in time view as at 26/12/2007. Changes to legislation: Proceeds of Crime Act 2002 is up to date with all changes known to be in force on or before 05 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)



Proceeds of Crime Act 2002

CHAPTER 29

PROCEEDS OF CRIME ACT 2002

PART 1

ASSETS RECOVERY AGENCY

- 1 The Agency and its Director
- 2 Director's functions: general
- 3 Accreditation and training
- 4 Co-operation
- 5 Advice and assistance

PART 2

CONFISCATION: ENGLAND AND WALES

Confiscation orders

- 6 Making of order
- 7 Recoverable amount
- 8 Defendant's benefit
- 9 Available amount
- 10 Assumptions to be made in case of criminal lifestyle
- 11 Time for payment
- 12 Interest on unpaid sums
- 13 Effect of order on court's other powers

Procedural matters

- 14 Postponement
- 15 Effect of postponement
- 16 Statement of information

Changes to legislation: Proceeds of Crime Act 2002 is up to date with all changes known to be in force on or before 05 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- 17 Defendant's response to statement of information
- 18 Provision of information by defendant

Reconsideration

- 19 No order made: reconsideration of case
- 20 No order made: reconsideration of benefit
- 21 Order made: reconsideration of benefit
- 22 Order made: reconsideration of available amount
- 23 Inadequacy of available amount: variation of order
- 24 Inadequacy of available amount: discharge of order
- 25 Small amount outstanding: discharge of order
- 26 Information

Defendant absconds

- 27 Defendant convicted or committed
- 28 Defendant neither convicted nor acquitted
- 29 Variation of order
- 30 Discharge of order

Appeals

- 31 Appeal by prosecutor or Director
- 32 Court's powers on appeal
- 33 Appeal to House of Lords

Enforcement authority

34 Enforcement authority

Enforcement as fines etc

- 35 Director not appointed as enforcement authority
- 36 Director appointed as enforcement authority
- 37 Director's application for enforcement
- 38 Provisions about imprisonment or detention
- 39 Reconsideration etc: variation of prison term

Restraint orders

- 40 Conditions for exercise of powers
- 41 Restraint orders
- 42 Application, discharge and variation
- 43 Appeal to Court of Appeal
- 44 Appeal to House of Lords
- 45 Seizure
- 46 Hearsay evidence
- 47 Supplementary

Management receivers

- 48 Appointment
- 49 Powers

Changes to legislation: Proceeds of Crime Act 2002 is up to date with all changes known to be in force on or before 05 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Enforcement receivers

- 50 Appointment
- 51 Powers

Director's receivers

- 52 Appointment
- 53 Powers

Application of sums

- 54 Enforcement receivers
- 55 Sums received by designated officer
- 56 Director's receivers
- 57 Sums received by Director

Restrictions

- 58 Restraint orders
- 59 Enforcement receivers
- 60 Director's receivers

Receivers: further provisions

- 61 Protection
- 62 Further applications
- 63 Discharge and variation
- 64 Management receivers: discharge
- 65 Appeal to Court of Appeal
- 66 Appeal to House of Lords

Seized money

67 Seized money

Financial investigators

68 Applications and appeals

Exercise of powers

69 Powers of court and receiver

Committal

- 70 Committal by magistrates' court
- 71 Sentencing by Crown Court

Compensation

- 72 Serious default
- 73 Order varied or discharged

Enforcement abroad

74 Enforcement abroad

Changes to legislation: Proceeds of Crime Act 2002 is up to date with all changes known to be in force on or before 05 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Interpretation

- 75 Criminal lifestyle
- 76 Conduct and benefit
- 77 Tainted gifts
- 78 Gifts and their recipients
- 79 Value: the basic rule
- 80 Value of property obtained from conduct
- 81 Value of tainted gifts
- 82 Free property
- 83 Realisable property
- 84 Property: general provisions
- 85 Proceedings
- 86 Applications
- 87 Confiscation orders
- 88 Other interpretative provisions

General

- 89 Procedure on appeal to the Court of Appeal
- 90 Procedure on appeal to the House of Lords
- 91 Crown Court Rules

PART 3

CONFISCATION: SCOTLAND

Confiscation orders

- 92 Making of order
- 93 Recoverable amount
- 94 Accused's benefit
- 95 Available amount
- 96 Assumptions to be made in case of criminal lifestyle
- 97 Effect of order on court's other powers
- 98 Disposal of family home

Procedural matters

- 99 Postponement
- 100 Effect of postponement
- 101 Statement of information
- 102 Accused's response to statement of information
- 103 Provision of information by accused

Reconsideration

- 104 No order made: reconsideration of case
- 105 No order made: reconsideration of benefit
- 106 Order made: reconsideration of benefit
- 107 Order made: reconsideration of available amount
- 108 Inadequacy of available amount: variation of order
- 109 Inadequacy of available amount: discharge of order
- 110 Information

Changes to legislation: Proceeds of Crime Act 2002 is up to date with all changes known to be in force on or before 05 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Accused unlawfully at large

- 111 Conviction or other disposal of accused
- 112 Accused neither convicted nor acquitted
- 113 Variation of order
- 114 Discharge of order

Appeals

115 Appeal by prosecutor

Payment and enforcement

- 116 Time for payment
- 117 Interest on unpaid sums
- 118 Application of provisions about fine enforcement

Restraint orders etc

- 119 Conditions for exercise of powers
- 120 Restraint orders etc
- 121 Application, recall and variation
- 122 Appeals
- 123 Inhibition of property affected by order
- 124 Arrestment of property affected by order
- 125 Management administrators
- 126 Seizure
- 127 Restraint orders: restriction on proceedings and remedies

Realisation of property: general

- 128 Enforcement administrators
- 129 Management administrators: discharge
- 130 Application of sums by enforcement administrator
- 131 Sums received by clerk of court

Exercise of powers

132 Powers of court and administrator

Administrators: general

- 133 Protection of administrators
- 134 Protection of persons affected
- 135 Recall and variation of order
- 136 Appeals
- 137 Administrators: further provision
- 138 Administrators: restriction on proceedings and remedies

Compensation

- 139 Serious default
- 140 Confiscation order varied or discharged

Enforcement abroad

141 Enforcement abroad

Changes to legislation: Proceeds of Crime Act 2002 is up to date with all changes known to be in force on or before 05 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Interpretation

- 142 Criminal lifestyle
- 143 Conduct and benefit
- 144 Tainted gifts and their recipients
- 145 Value: the basic rule
- 146 Value of property obtained from conduct
- 147 Value of tainted gifts
- 148 Free property
- 149 Realisable property
- 150 Property: general provisions
- 151 Proceedings
- 152 Applications
- 153 Satisfaction of confiscation orders
- 154 Other interpretative provisions

General

155 Rules of court

PART 4

CONFISCATION: NORTHERN IRELAND

Confiscation orders

- 156 Making of order
- 157 Recoverable amount
- 158 Defendant's benefit
- 159 Available amount
- 160 Assumptions to be made in case of criminal lifestyle
- 161 Time for payment
- 162 Interest on unpaid sums
- 163 Effect of order on court's other powers

Procedural matters

- 164 Postponement
- 165 Effect of postponement
- 166 Statement of information
- 167 Defendant's response to statement of information
- 168 Provision of information by defendant

Reconsideration

- 169 No order made: reconsideration of case
- 170 No order made: reconsideration of benefit
- 171 Order made: reconsideration of benefit
- 172 Order made: reconsideration of available amount
- 173 Inadequacy of available amount: variation of order
- 174 Inadequacy of available amount: discharge of order
- 175 Small amount outstanding: discharge of order
- 176 Information

Defendant absconds

177 Defendant convicted or committed

Changes to legislation: Proceeds of Crime Act 2002 is up to date with all changes known to be in force on or before 05 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- 178 Defendant neither convicted nor acquitted
- 179 Variation of order
- 180 Discharge of order

Appeals

- 181 Appeal by prosecutor or Director
- 182 Court's powers on appeal
- 183 Appeal to House of Lords

Enforcement authority

184 Enforcement authority

Enforcement as fines etc

- 185 Enforcement as fines etc
- 186 Director's application for enforcement
- 187 Provisions about imprisonment or detention
- 188 Reconsideration etc: variation of prison term

Restraint orders

- 189 Conditions for exercise of powers
- 190 Restraint orders
- 191 Application, discharge and variation
- 192 Appeal to Court of Appeal
- 193 Appeal to House of Lords
- 194 Seizure
- 195 Supplementary

Management receivers

- 196 Appointment
- 197 Powers

Enforcement receivers

- 198 Appointment
- 199 Powers

Director's receivers

- 200 Appointment
- 201 Powers

Application of sums

- 202 Enforcement receivers
- 203 Sums received by chief clerk
- 204 Director's receivers
- 205 Sums received by Director

Restrictions

- 206 Restraint orders
- 207 Enforcement receivers

Changes to legislation: Proceeds of Crime Act 2002 is up to date with all changes known to be in force on or before 05 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

208 Director's receivers

Receivers: further provisions

- 209 Protection
- 210 Further applications
- 211 Discharge and variation
- 212 Management receivers: discharge
- 213 Appeal to Court of Appeal
- 214 Appeal to House of Lords

Seized money

215 Seized money

Financial investigators

216 Applications and appeals

Exercise of powers

217 Powers of court and receiver

Committal

- 218 Committal by magistrates' court
- 219 Sentencing by Crown Court

Compensation

- 220 Serious default
- 221 Order varied or discharged

Enforcement abroad

222 Enforcement abroad

Interpretation

- 223 Criminal lifestyle
- 224 Conduct and benefit
- 225 Tainted gifts
- 226 Gifts and their recipients
- 227 Value: the basic rule
- 228 Value of property obtained from conduct
- 229 Value of tainted gifts
- 230 Free property
- 231 Realisable property
- 232 Property: general provisions
- 233 Proceedings
- 234 Applications
- 235 Confiscation orders
- 236 Other interpretative provisions

General

237 Procedure on appeal to the Court of Appeal

- 238 Procedure on appeal to the House of Lords
- 239 Crown Court Rules

PART 5

CIVIL RECOVERY OF THE PROCEEDS ETC. OF UNLAWFUL CONDUCT

CHAPTER 1

INTRODUCTORY

- 240 General purpose of this Part
- 241 "Unlawful conduct"
- 242 "Property obtained through unlawful conduct"

CHAPTER 2

CIVIL RECOVERY IN THE HIGH COURT OR COURT OF SESSION

Proceedings for recovery orders

- 243 Proceedings for recovery orders in England and Wales or Northern Ireland
- 244 Proceedings for recovery orders in Scotland
- 245 "Associated property"

Property freezing orders (England and Wales and Northern Ireland)

- 245A Application for property freezing order
- 245B Variation and setting aside of order
- 245C Exclusions
- 245D Restriction on proceedings and remedies

Interim receiving orders (England and Wales and Northern Ireland)

- 246 Application for interim receiving order
- 247 Functions of interim receiver

Property freezing orders and interim receiving orders: registration

- 248 Registration
- 249 Registration (Northern Ireland)

Interim receiving orders: further provisions

- 250 Duties of respondent etc.
- 251 Supervision of interim receiver and variation of order
- 252 Restrictions on dealing etc. with property
- 253 Restriction on proceedings and remedies
- 254 Exclusion of property which is not recoverable etc.
- 255 Reporting

Prohibitory property orders (Scotland)

- 255A Application for prohibitory property order
- 255B Variation and recall of prohibitory property order
- 255C Exclusions

Changes to legislation: Proceeds of Crime Act 2002 is up to date with all changes known to be in force on or before 05 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- 255D Restriction on proceedings and remedies
- 255E Arrestment of property affected by prohibitory property order
- 255F Inhibition of property affected by prohibitory property order

Interim administration orders (Scotland)

- 256 Application for interim administration order
- 257 Functions of interim administrator
- 258 Inhibition of property affected by order
- 259 Duties of respondent etc.
- 260 Supervision of interim administrator and variation of order
- 261 Restrictions on dealing etc. with property
- 262 Restriction on proceedings and remedies
- 263 Exclusion of property which is not recoverable etc.
- 264 Reporting
- 265 Arrestment of property affected by interim administration order

Vesting and realisation of recoverable property

- 266 Recovery orders
- 267 Functions of the trustee for civil recovery
- 268 Recording of recovery order (Scotland)
- 269 Rights of pre-emption, etc.
- 270 Associated and joint property
- 271 Agreements about associated and joint property
- 272 Associated and joint property: default of agreement
- 273 Payments in respect of rights under pension schemes
- 274 Consequential adjustment of liabilities under pension schemes
- 275 Pension schemes: supplementary
- 276 Consent orders
- 277 Consent orders: pensions
- 278 Limit on recovery
- 279 Section 278: supplementary
- 280 Applying realised proceeds

Exemptions etc.

- 281 Victims of theft, etc.
- 282 Other exemptions

Miscellaneous

- 283 Compensation
- 284 Payment of interim administrator or trustee (Scotland)
- 285 Effect on diligence of recovery order (Scotland)
- 286 Scope of powers (Scotland)
- 286A Legal expenses excluded from freezing: required conditions
- 286B Legal expenses: regulations for purposes of section 266(8B) or 286A(3)
 - 287 Financial threshold
 - 288 Limitation

CHAPTER 3

RECOVERY OF CASH IN SUMMARY PROCEEDINGS

Changes to legislation: Proceeds of Crime Act 2002 is up to date with all changes known to be in force on or before 05 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Searches

- 289 Searches
- 290 Prior approval
- 291 Report on exercise of powers
- 292 Code of practice
- 293 Code of practice (Scotland)

Seizure and detention

- 294 Seizure of cash
- 295 Detention of seized cash
- 296 Interest
- 297 Release of detained cash

Forfeiture

- 298 Forfeiture
- 299 Appeal against decision under section 298
- 300 Application of forfeited cash

Supplementary

- 301 Victims and other owners
- 302 Compensation
- 303 "The minimum amount"

CHAPTER 4

GENERAL

Recoverable property

- 304 Property obtained through unlawful conduct
- 305 Tracing property, etc.
- 306 Mixing property
- 307 Recoverable property: accruing profits
- 308 General exceptions
- 309 Other exemptions
- 310 Granting interests

Insolvency

311 Insolvency

Delegation of enforcement functions

- 312 Performance of functions of Scottish Ministers by constables in Scotland
- 313 Restriction on performance of Director's functions by police

Interpretation

- 314 Obtaining and disposing of property
- 315 Northern Ireland courts
- 316 General interpretation

Changes to legislation: Proceeds of Crime Act 2002 is up to date with all changes known to be in force on or before 05 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

PART 6

REVENUE FUNCTIONS

General functions

- 317 Director's general Revenue functions
- 318 Revenue functions regarding employment
- 319 Source of income
- 320 Appeals

Inheritance tax functions

- 321 Director's functions: transfers of value
- 322 Director's functions: certain settlements

General

- 323 Functions
- 324 Exercise of Revenue functions
- 325 Declarations
- 326 Interpretation

PART 7

MONEY LAUNDERING

Offences

- 327 Concealing etc
- 328 Arrangements
- 329 Acquisition, use and possession
- 330 Failure to disclose: regulated sector
- 331 Failure to disclose: nominated officers in the regulated sector
- 332 Failure to disclose: other nominated officers
- 333 Tipping off
- 333A Tipping off: regulated sector
- 333B Disclosures within an undertaking or group etc
- 333C Other permitted disclosures between institutions etc
- 333D Other permitted disclosures etc
- 333E Interpretation of sections 333A to 333D
- 334 Penalties

Consent

- 335 Appropriate consent
- 336 Nominated officer: consent

Disclosures

- 337 Protected disclosures
- 338 Authorised disclosures
- 339 Form and manner of disclosures
- 339ZA Disclosures to SOCA

Threshold amounts

339A Threshold amounts

Changes to legislation: Proceeds of Crime Act 2002 is up to date with all changes known to be in force on or before 05 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Interpretation

340 Interpretation

PART 8

INVESTIGATIONS

CHAPTER 1

INTRODUCTION

- 341 Investigations
- 342 Offences of prejudicing investigation

CHAPTER 2

ENGLAND AND WALES AND NORTHERN IRELAND

Judges and courts

- 343 Judges
- 344 Courts

Production orders

- 345 Production orders
- 346 Requirements for making of production order
- 347 Order to grant entry
- 348 Further provisions
- 349 Computer information
- 350 Government departments
- 351 Supplementary

Search and seizure warrants

- 352 Search and seizure warrants
- 353 Requirements where production order not available
- 354 Further provisions: general
- 355 Further provisions: confiscation and money laundering
- 356 Further provisions: civil recovery

Disclosure orders

- 357 Disclosure orders
- 358 Requirements for making of disclosure order
- 359 Offences
- 360 Statements
- 361 Further provisions
- 362 Supplementary

Customer information orders

- 363 Customer information orders
- 364 Meaning of customer information
- 365 Requirements for making of customer information order
- 366 Offences

Changes to legislation: Proceeds of Crime Act 2002 is up to date with all changes known to be in force on or before 05 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- 367 Statements
- 368 Disclosure of information
- 369 Supplementary

Account monitoring orders

- 370 Account monitoring orders
- 371 Requirements for making of account monitoring order
- 372 Statements
- 373 Applications
- 374 Disclosure of information
- 375 Supplementary

Evidence overseas

376 Evidence overseas

Code of practice

377 Code of practice

Interpretation

- 378 Officers
- 379 Miscellaneous

CHAPTER 3

SCOTLAND

Production orders

- 380 Production orders
- 381 Requirements for making of production order
- 382 Order to grant entry
- 383 Further provisions
- 384 Computer information
- 385 Government departments
- 386 Supplementary

Search warrants

- 387 Search warrants
- 388 Requirements where production order not available
- 389 Further provisions: general
- 390 Further provisions: confiscation, civil recovery and money laundering

Disclosure orders

- 391 Disclosure orders
- 392 Requirements for making of disclosure order
- 393 Offences
- 394 Statements
- 395 Further provisions
- 396 Supplementary

Changes to legislation: Proceeds of Crime Act 2002 is up to date with all changes known to be in force on or before 05 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Customer information orders

- 397 Customer information orders
- 398 Meaning of customer information
- 399 Requirements for making of customer information order
- 400 Offences
- 401 Statements
- 402 Further provisions
- 403 Supplementary

Account monitoring orders

- 404 Account monitoring orders
- 405 Requirements for making of account monitoring order
- 406 Statements
- 407 Further provisions
- 408 Supplementary

General

- 409 Jurisdiction of sheriff
- 410 Code of practice
- 411 Performance of functions of Scottish Ministers by constables in Scotland
- 412 Interpretation

CHAPTER 4

INTERPRETATION

- 413 Criminal conduct
- 414 Property
- 415 Money laundering offences
- 416 Other interpretative provisions

PART 9

INSOLVENCY ETC.

Bankruptcy in England and Wales

- 417 Modifications of the 1986 Act
- 418 Restriction of powers
- 419 Tainted gifts

Sequestration in Scotland

- 420 Modifications of the 1985 Act
- 421 Restriction of powers
- 422 Tainted gifts

Bankruptcy in Northern Ireland

- 423 Modifications of the 1989 Order
- 424 Restriction of powers
- 425 Tainted gifts

Winding up in England and Wales and Scotland

- 426 Winding up under the 1986 Act
- 427 Tainted gifts

Winding up in Northern Ireland

- 428 Winding up under the 1989 Order
- 429 Tainted gifts

Floating charges

430 Floating charges

Limited liability partnerships

431 Limited liability partnerships

Insolvency practitioners

- 432 Insolvency practitioners
- 433 Meaning of insolvency practitioner

Interpretation

434 Interpretation

PART 10

INFORMATION

England and Wales and Northern Ireland

- 435 Use of information by Director
- 436 Disclosure of information to Director
- 437 Further disclosure
- 438 Disclosure of information by Director

Scotland

- 439 Disclosure of information to Lord Advocate and to Scottish Ministers
- 440 Further disclosure
- 441 Disclosure of information by Lord Advocate and by Scottish Ministers

Overseas purposes

442 Restriction on disclosure for overseas purposes

PART 11

CO-OPERATION

- 443 Enforcement in different parts of the United Kingdom
- 444 External requests and orders
- 445 External investigations
- 446 Rules of court
- 447 Interpretation

Changes to legislation: Proceeds of Crime Act 2002 is up to date with all changes known to be in force on or before 05 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

PART 12

MISCELLANEOUS AND GENERAL

Miscellaneous

- 448 Tax
- 449 Agency staff: pseudonyms
- 450 Pseudonyms: Scotland
- 451 Revenue and Customs prosecutions
- 452 Crown servants
- 453 References to financial investigators
- 454 Customs officers
- 455 Enactment

General

- 456 Amendments
- 457 Repeals and revocations
- 458 Commencement
- 459 Orders and regulations
- 460 Finance
- 461 Extent
- 462 Short title

SCHEDULES

- SCHEDULE 1 Assets Recovery Agency
- 1 Director's terms of appointment
- 2 Subject to that, the Director holds office on the terms...
- 3 Staff
- 4 The members of staff of the Agency hold office on...
- 5 Finances
- 6 Annual plan
- 7 Annual report
- 8 Meaning of "financial year"

SCHEDULE 2 — Lifestyle offences: England and Wales

- 1 Drug trafficking
- 2 Money laundering
- 3 Directing terrorism
- 4 People trafficking
- 5 Arms trafficking
- 6 *Counterfeiting*
- 7 Intellectual property
- 8 Prostitution and child sex
- 9 Blackmail
- 9A An offence under section 12(1) or (2) of the Gangmasters...
- 10 Inchoate offences

SCHEDULE 3 — Administrators: further provision

- 1 General
- 2 Appointment etc

Changes to legislation: Proceeds of Crime Act 2002 is up to date with all changes known to be in force on or before 05 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- 3 Functions
- 4 Consent of accountant of court
- 5 Dealings in good faith with administrator
- 6 Money received by administrator
- 7 Effect of appointment of administrator on diligence
- 8 Supervision
- 9 Accounts and remuneration
- 10 Discharge of administrator

SCHEDULE 4 — Lifestyle offences: Scotland

- 1 Money laundering
- 2 Drug trafficking
- 3 Directing terrorism
- 4 *People trafficking*
- 5 Arms trafficking
- 6 Counterfeiting
- 7 Intellectual property
- 8 Pimps and brothels
- 8A Traffic in prostitution etc.
- 9 Blackmail
- 9A An offence under section 12(1) or (2) of the Gangmasters...
- 10 Inchoate offences

SCHEDULE 5 — Lifestyle offences: Northern Ireland

- 1 Drug trafficking
- 2 Money laundering
- 3 Directing terrorism
- 4 *People trafficking*
- 5 Arms trafficking
- 6 Counterfeiting
- 7 Intellectual property
- 8 *Pimps and brothels*
- 9 Blackmail
- 9A An offence under section 12(1) or (2) of the Gangmasters...
- 10 Inchoate offences

SCHEDULE 6 — Powers of interim receiver or administrator

- 1 Seizure
- 2 Information
- 3 Entry, search, etc.
- 4 Supplementary
- 5 Management

SCHEDULE 7 — Powers of trustee for civil recovery

- 1 Sale
- 2 Expenditure
- 3 Management
- 4 Legal proceedings
- 5 Compromise
- 6 Supplementary

SCHEDULE 8 — Forms of declarations The Director

"I, A.B., do solemnly declare that I will not disclose... Members of the staff of the Agency "I, A.B., do solemnly declare that I will not disclose...

> SCHEDULE 9 — Regulated sector and supervisory authorities PART 1 — REGULATED SECTOR

> > Business in the regulated sector

1 (1) A business is in the regulated sector to the...

Excluded activities

2 (1) A business is not in the regulated sector to...

INTERPRETATION

- 3 (1) In this Part— "the Banking Consolidation Directive" means directive...
 - PART 2 SUPERVISORY AUTHORITIES
- 4 (1) The following bodies are supervisory authorities— Part 3 — POWER TO AMEND
- 5 The Treasury may by order amend Part 1 or 2...

SCHEDULE 10 — Tax

Part 1 — GENERAL

1 Sections 75 and 77 of the Taxes Management Act 1970... Part 2 — PROVISIONS RELATING TO PART 5

INTRODUCTORY

2 (1) The vesting of property in the trustee for civil...

CAPITAL GAINS TAX

3 (1) If a gain attributable to a Part 5 transfer...

INCOME TAX AND CORPORATION TAX

- 4 Accrued income scheme
- 5 Discounted securities
- 6 Rights to receive amounts stated in certificates of deposit etc.
- 7 Non-qualifying offshore funds
- 8 Futures and options
- 9 Loan relationships
- 10 Exception from paragraphs 4 to 9
- 11 Trading stock

CAPITAL ALLOWANCES

- 12 Plant and machinery
- 13 (1) If a compensating payment is made to the transferor,...
- 14 (1) Paragraph 13(2) does not apply if the qualifying expenditure...
- 15 (1) Paragraph 13 does not apply if—
- 16 (1) Paragraph 13 does not apply if—
- 17 (1) Paragraphs 12 to 16 have effect as if they...
- 18 Industrial buildings
- 19 (1) If a compensating payment is made to the transferor,...
- 20 (1) Paragraph 19 does not apply to determine the proceeds...
- 21 Paragraphs 18 to 20 have effect as if they were...
- 22 Flat conversion
- 23 (1) If a compensating payment is made to the transferor,...
- 24 (1) Paragraph 23 does not apply to determine the proceeds...
- 25 Paragraphs 22 to 24 have effect as if they were...
- 26 Research and development
- 27 (1) If a compensating payment is made to the transferor,...
- 28 (1) Paragraph 27 does not apply to determine the disposal...
- 29 Paragraphs 26 to 28 have effect as if they were...

EMPLOYEE ETC. SHARE SCHEMES

- 30 *Share options*
- 31 *Conditional acquisition of shares*
- 32 Shares acquired at an undervalue
- 33 Shares in dependent subsidiaries

SCHEDULE 11 — Amendments

- 1 Introduction
- 2 Parliamentary Commissioner Act 1967 (c. 13)
- 3 Police (Scotland) Act 1967 (c. 77)
- 4 Criminal Appeal Act 1968 (c. 19)
- 5 Misuse of Drugs Act 1971 (c. 38)
- 6 Immigration Act 1971 (c. 77)
- 7 Rehabilitation of Offenders Act 1974 (c. 53)
- 8 Rehabilitation of Offenders (Northern Ireland) Order 1978 (S.I. 1978/1908 (N.I. 27))
- 9 Criminal Appeal (Northern Ireland) Act 1980 (c. 47)
- 10 Legal Aid, Advice and Assistance (Northern Ireland) Order 1981 (S.I. 1981/228 (N.I. 8))
- 11 Civil Jurisdiction and Judgments Act 1982 (c. 27)
- 12 Civic Government (Scotland) Act 1982 (c. 45)
- 13 Criminal Justice Act 1982 (c. 48)
- 14 Police and Criminal Evidence Act 1984 (c. 60)
- 15 Bankruptcy (Scotland) Act 1985 (c. 66)
- 16 Insolvency Act 1986 (c. 45)
- 17 Criminal Justice Act 1988 (c. 33)
- 18 *Extradition Act 1989 (c. 33)*
- 19 Police and Criminal Evidence (Northern Ireland) Order 1989 (S.I. 1989/1341 (N.I. 12))

Changes to legislation: Proceeds of Crime Act 2002 is up to date with all changes known to be in force on or before 05 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- 20 Insolvency (Northern Ireland) Order 1989 (S.I. 1989/2405 (N.I. 19))
- 21 Criminal Justice (International Co-operation) Act 1990 (c. 5)
- 22 Pension Schemes Act 1993 (c. 48)
- 23 Pension Schemes (Northern Ireland) Act 1993 (c. 49)
- 24 Criminal Justice and Public Order Act 1994 (c. 33)
- 25 Drug Trafficking Act 1994 (c. 37)
- 26 Criminal Justice (Northern Ireland) Order 1994 (S.I. 1994/2795 (N.I. 15))
- 27 Proceeds of Crime Act 1995 (c. 11)
- 28 Proceeds of Crime (Scotland) Act 1995 (c. 43)
- 29 Criminal Procedure (Scotland) Act 1995 (c. 46)
- 30 Police Act 1996 (c. 16)
- 31 Proceeds of Crime (Northern Ireland) Order 1996 (S.I. 1996/1299 (N.I. 9)
- 32 *Crime (Sentences) Act 1997 (c. 43)*
- 33 Crime and Punishment (Scotland) Act 1997 (c. 48)
- 34 Police (Northern Ireland) Act 1998 (c. 32)
- 35 Crime and Disorder Act 1998 (c. 37)
- 36 Access to Justice Act 1999 (c. 22)
- 37 Powers of Criminal Courts (Sentencing) Act 2000 (c. 6)
- 38 Financial Services and Markets Act 2000 (c. 8)
- 39 Terrorism Act 2000 (c. 11)
- 40 Criminal Justice and Police Act 2001 (c. 16)

SCHEDULE 12 — REPEALS AND REVOCATIONS

Status:

Point in time view as at 26/12/2007.

Changes to legislation:

Proceeds of Crime Act 2002 is up to date with all changes known to be in force on or before 05 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.