



# Limitation Act 1980

## 1980 CHAPTER 58

### PART I

#### ORDINARY TIME LIMITS FOR DIFFERENT CLASSES OF ACTION

##### *Miscellaneous and supplemental*

#### **[<sup>F1</sup>27B] Actions for recovery of property for purposes of an external order**

- (1) None of the time limits given in the preceding provisions of this Act applies to any proceedings under Chapter 2 of Part 5 of the Proceeds of Crime Act 2002 (External Requests and Orders) Order 2005 (civil proceedings for the realisation of property to give effect to an external order).
- (2) Proceedings under that Chapter for a recovery order in respect of any recoverable property shall not be brought after the expiration of the period of [<sup>F2</sup>20 years] from the date on which the [<sup>F3</sup>relevant person's] cause of action accrued.
- (3) Proceedings under that Chapter are brought when—
  - (a) a claim form is issued, or
  - (b) an application is made for a property freezing order, or
  - (c) an application is made for an interim receiving order,whichever is earliest.

[ If, before an event mentioned in subsection (3) occurs, an application is made for a <sup>F4</sup>(3A) prohibition order under Part 4A of the Order, the proceedings under Chapter 2 of Part 5 of the Order are to be treated as having been brought when that application is made.]

- (4) The [<sup>F3</sup>relevant person's] cause of action accrues in respect of any recoverable property—
  - (a) in the case of proceedings for a recovery order in respect of property obtained, or believed to have been obtained, as a result of or in connection with criminal conduct, when the property is so obtained,

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*Changes to legislation: There are currently no known outstanding effects  
for the Limitation Act 1980, Section 27B. (See end of Document for details)*

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- (b) in the case of proceedings for a recovery order in respect of any other recoverable property, when the property obtained, or believed to have been obtained, as a result of or in connection with criminal conduct which it represents is so obtained.
- (5) If—
- (a) a person would (but for the preceding provisions of this Act) have a cause of action in respect of the conversion of a chattel, and
  - (b) proceedings are started under that Chapter for a recovery order in respect of the chattel,
  - (c) section 3(2) of this Act does not prevent his asserting on an application under article 192 of that Order that the property belongs to him, or the court making a declaration in his favour under that article.
- (6) If the court makes such a declaration, his title to the chattel is to be treated as not having been extinguished by section 3(2) of this Act.
- (7) In this section—
- (a) “ criminal conduct ” is to be construed in accordance with section 447(8) of the Proceeds of Crime Act 2002, and
  - (b) expressions used in this section which are also used in Part 5 of the Proceeds of Crime Act 2002 (External Requests and Orders) Order 2005 have the same meaning in this section as in that Part.
- [ In this section “ relevant person ” means—
- <sup>F5</sup>(8) [<sup>F6</sup>(a) the National Crime Agency,  
(b) the Director of Public Prosecutions,  
<sup>F7</sup>(c) .....  
(d) the Director of the Serious Fraud Office.]]

#### Textual Amendments

- F1** S. 27B inserted (1.1.2006) by [The Proceeds of Crime Act 2002 \(External Requests and Orders\) Order 2005 \(S.I. 2005/3181\)](#), **art. 201(1)**
- F2** Words in s. 27B(2) substituted (25.1.2010) by [Policing and Crime Act 2009 \(c. 26\)](#), **ss. 62**, 116(1); [S.I. 2009/3096](#), **art. 3(h)**
- F3** Words in s. 27B(2)(4) substituted (1.4.2008) by [The Proceeds of Crime Act 2002 \(External Requests and Orders\) \(Amendment\) Order 2008 \(S.I. 2008/302\)](#), **art. 1(1)**, **4(2)**
- F4** S. 27B(3A) inserted (11.11.2013) by [The Proceeds of Crime Act 2002 \(External Requests and Orders\) \(Amendment\) Order 2013 \(S.I. 2013/2604\)](#), **arts. 1(1)**, **4(3)**
- F5** S. 27(B)(8) inserted (1.4.2008) by [The Proceeds of Crime Act 2002 \(External Requests and Orders\) \(Amendment\) Order 2008 \(S.I. 2008/302\)](#), **arts. 1(1)**, **4(3)**
- F6** S. 27B(8)(a) substituted (7.10.2013) by [Crime and Courts Act 2013 \(c. 22\)](#), **s. 61(2)**, **Sch. 8 para. 28(2)**; [S.I. 2013/1682](#), **art. 3(v)**
- F7** S. 27B(8)(c) omitted (27.3.2014) by virtue of [The Public Bodies \(Merger of the Director of Public Prosecutions and the Director of Revenue and Customs Prosecutions\) Order 2014 \(S.I. 2014/834\)](#), **art. 1(1)**, **Sch. 2 para. 6**

**Changes to legislation:**

There are currently no known outstanding effects for the Limitation Act 1980, Section 27B.