

Status: Point in time view as at 01/11/1995.

Changes to legislation: There are currently no known outstanding effects for the Proceeds of Crime Act 1995. (See end of Document for details)

SCHEDULES

SCHEDULE 1

Section 15.

CONSEQUENTIAL AMENDMENTS OF THE 1988 ACT

- 1 In section 72 of the 1988 Act (making of confiscation orders) subsections (1) to (4) shall cease to have effect.
- 2 (1) Section 72A of that Act (postponed determinations of benefit and amount to be recovered) shall be amended as follows.
- (2) In subsection (1)—
- (a) in paragraph (a), for “as mentioned in section 71(2)(b)(i) above” there shall be substituted “from any relevant criminal conduct”, and at the end there shall be inserted “or”;
- (b) paragraph (b) shall be omitted; and
- (c) in paragraph (c), the words “by virtue of section 72 above” shall be omitted.
- (3) For subsection (8) there shall be substituted the following subsection—
- “(8) Where the court has so proceeded—
- (a) subsection (1) of section 71 above shall have effect as if the words from “before sentencing” onwards were omitted;
- (b) that section shall further have effect as if references to an offence that will be taken into consideration in determining any sentence included references to an offence that has been so taken into account; and
- (c) section 72(5) above shall have effect as if after “determining” there were inserted “in relation to any offence in respect of which he has not been sentenced or otherwise dealt with”.”
- (4) In subsection (11)(b), for the words from “may be taken together” to “section 71 above” there shall be substituted “are comprised in relevant criminal conduct”.
- 3 In the table in section 102(2) of that Act (table of defined expressions) the following entries shall be inserted in the appropriate places in the alphabetical order, that is to say—

“Expression	Relevant provision
Offence of a relevant description	Section 71(1E)
Relevant criminal conduct	Section 71(1D)”

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SCHEDULE 2

Section 15.

REPEALS

Chapter	Short title	Extent of repeal
1988 c. 33.	The Criminal Justice Act 1988.	<p>In section 71—</p> <p>(a) subsection (7);</p> <p>(b) in subsection (7A), paragraph (b) and, in paragraph (c), the words “by virtue of section 72 below”; and</p> <p>(c) subsection (8).</p> <p>In section 72, subsections (1) to (4).</p> <p>In section 72A(1), paragraph (b) and, in paragraph (c), the words “by virtue of section 72 above”.</p> <p>In section 73, subsection (4).</p>

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