

Status: Point in time view as at 27/04/2017.

Changes to legislation: Proceeds of Crime Act 2002, SCHEDULE 2 is up to date with all changes known to be in force on or before 16 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)

SCHEDULES

SCHEDULE 2

Section 75

LIFESTYLE OFFENCES: ENGLAND AND WALES

Drug trafficking

- 1 (1) An offence under any of the following provisions of the Misuse of Drugs Act 1971 (c. 38)—
- (a) section 4(2) or (3) (unlawful production or supply of controlled drugs);
 - (b) section 5(3) (possession of controlled drug with intent to supply);
 - (c) section 8 (permitting certain activities relating to controlled drugs);
 - (d) section 20 (assisting in or inducing the commission outside the UK of an offence punishable under a corresponding law).
- (2) An offence under any of the following provisions of the Customs and Excise Management Act 1979 (c. 2) if it is committed in connection with a prohibition or restriction on importation or exportation which has effect by virtue of section 3 of the Misuse of Drugs Act 1971—
- (a) section 50(2) or (3) (improper importation of goods);
 - (b) section 68(2) (exploration of prohibited or restricted goods);
 - (c) section 170 (fraudulent evasion).
- (3) An offence under either of the following provisions of the Criminal Justice (International Co-operation) Act 1990 (c. 5)—
- (a) section 12 (manufacture or supply of a substance for the time being specified in Schedule 2 to that Act);
 - (b) section 19 (using a ship for illicit traffic in controlled drugs).

Commencement Information

II Sch. 2 para. 1 in force at 24.3.2003 by [S.I. 2003/333, art. 2, Sch.](#)

- [^{F1}1A An offence under any of the following provisions of the Psychoactive Substances Act 2016—
- (a) section 4 (producing a psychoactive substance);
 - (b) section 5 (supplying, or offering to supply, a psychoactive substance);
 - (c) section 7 (possession of psychoactive substance with intent to supply);
 - (d) section 8 (importing or exporting a psychoactive substance).]

Textual Amendments

F1 [Sch. 2 para. 1A](#) inserted (26.5.2016) by [Psychoactive Substances Act 2016 \(c. 2\), s. 63\(2\), Sch. 5 para. 2\(2\); S.I. 2016/553, reg. 2](#)

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Textual Amendments

F1 Sch. 2 para. 1A inserted (26.5.2016) by Psychoactive Substances Act 2016 (c. 2), s. 63(2), **Sch. 5 para. 2(2)**; S.I. 2016/553, reg. 2

Commencement Information

I1 Sch. 2 para. 1 in force at 24.3.2003 by S.I. 2003/333, art. 2, **Sch.**

Money laundering

- 2 An offence under either of the following provisions of this Act—
 - (a) section 327 (concealing etc criminal property);
 - (b) section 328 (assisting another to retain criminal property).

Commencement Information

I2 Sch. 2 para. 2 in force at 24.3.2003 by S.I. 2003/333, art. 2, **Sch.**

Directing terrorism

- 3 An offence under section 56 of the Terrorism Act 2000 (c. 11) (directing the activities of a terrorist organisation).

Commencement Information

I3 Sch. 2 para. 3 in force at 24.3.2003 by S.I. 2003/333, art. 2, **Sch.**

Slavery etc

- [^{F2}3A An offence under section 1 of the Modern Slavery Act 2015 (slavery, servitude and forced or compulsory labour).]

Textual Amendments

F2 Sch. 2 para. 3A inserted (31.7.2015) by Modern Slavery Act 2015 (c. 30), **ss. 7(2), 61(1)**; S.I. 2015/1476, reg. 2(a)

People trafficking

- [^{F3}4 (1) An offence under section 25, 25A or 25B of the Immigration Act 1971 (c. 77) (assisting unlawful immigration etc.).
- ^{F4}(2)
- ^{F4}(3)
- [^{F5}(4) An offence under section 2 of the Modern Slavery Act 2015 (human trafficking).]]

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Textual Amendments

- F3** Sch. 2 para. 4 substituted (10.2.2003) by [Nationality, Immigration and Asylum Act 2002 \(c. 41\), s. 162\(1\), Sch. 7 para. 31](#) (with s. 159); S.I. 2003/1, art. 2, Sch.
- F4** Sch. 2 para. 4(2)(3) omitted (31.7.2015) by virtue of [Modern Slavery Act 2015 \(c. 30\), ss. 7\(3\)\(a\), 61\(1\); S.I. 2015/1476, reg. 2\(a\)](#) (with regs. 3, 8)
- F5** Sch. 2 para. 4(4) inserted (31.7.2015) by [Modern Slavery Act 2015 \(c. 30\), ss. 7\(3\)\(b\), 61\(1\); S.I. 2015/1476, reg. 2\(a\)](#) (with regs. 3, 8)

Commencement Information

- I4** Sch. 2 para. 4 in force at 24.3.2003 by [S.I. 2003/333, art. 2, Sch.](#)

Arms trafficking

- 5 (1) An offence under either of the following provisions of the Customs and Excise Management Act 1979 if it is committed in connection with a firearm or ammunition—
- (a) section 68(2) (exportation of prohibited goods);
 - (b) section 170 (fraudulent evasion).
- (2) An offence under section 3(1) of the Firearms Act 1968 (c. 27) (dealing in firearms or ammunition by way of trade or business).
- (3) In this paragraph “firearm” and “ammunition” have the same meanings as in section 57 of the Firearms Act 1968 (c. 27).

Commencement Information

- I5** Sch. 2 para. 5 in force at 24.3.2003 by [S.I. 2003/333, art. 2, Sch.](#)

Counterfeiting

- 6 An offence under any of the following provisions of the Forgery and Counterfeiting Act 1981 (c. 45)—
- (a) section 14 (making counterfeit notes or coins);
 - (b) section 15 (passing etc counterfeit notes or coins);
 - (c) section 16 (having counterfeit notes or coins);
 - (d) section 17 (making or possessing materials or equipment for counterfeiting).

Commencement Information

- I6** Sch. 2 para. 6 in force at 24.3.2003 by [S.I. 2003/333, art. 2, Sch.](#)

Intellectual property

- 7 (1) An offence under any of the following provisions of the Copyright, Designs and Patents Act 1988 (c. 48)—
- (a) section 107(1) (making or dealing in an article which infringes copyright);

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- (b) section 107(2) (making or possessing an article designed or adapted for making a copy of a copyright work);
 - (c) section 198(1) (making or dealing in an illicit recording);
 - (d) section 297A (making or dealing in unauthorised decoders).
- (2) An offence under section 92(1), (2) or (3) of the Trade Marks Act 1994 (c. 26) (unauthorised use etc of trade mark).

Commencement Information

I7 Sch. 2 para. 7 in force at 24.3.2003 by [S.I. 2003/333, art. 2, Sch.](#)

Prostitution and child sex

- ^{F6} 8 (1) An offence under section 33 or 34 of the Sexual Offences Act 1956 (keeping or letting premises for use as a brothel).
- (2) An offence under any of the following provisions of the Sexual Offences Act 2003—
- (a) section 14 (arranging or facilitating commission of a child sex offence);
 - (b) section 48 (causing or inciting [^{F7}sexual exploitation of a child]);
 - (c) section 49 (controlling a child [^{F8}in relation to sexual exploitation]);
 - (d) section 50 (arranging or facilitating [^{F9}sexual exploitation of a child]);
 - (e) section 52 (causing or inciting prostitution for gain);
 - (f) section 53 (controlling prostitution for gain).]

Textual Amendments

- F6** Sch. 2 para. 8 substituted (1.5.2004) by [Sexual Offences Act 2003 \(c. 42\), s. 141, Sch. 6 para. 46\(3\); S.I. 2004/874, art. 2](#)
- F7** Words in Sch. 2 para. 8(2)(b) substituted (3.5.2015) by [Serious Crime Act 2015 \(c. 9\), s. 88\(1\), Sch. 4 para. 58\(2\); S.I. 2015/820, reg. 2\(r\)\(v\)](#)
- F8** Words in Sch. 2 para. 8(2)(c) substituted (3.5.2015) by [Serious Crime Act 2015 \(c. 9\), s. 88\(1\), Sch. 4 para. 58\(3\); S.I. 2015/820, reg. 2\(r\)\(v\)](#)
- F9** Words in Sch. 2 para. 8(2)(d) substituted (3.5.2015) by [Serious Crime Act 2015 \(c. 9\), s. 88\(1\), Sch. 4 para. 58\(4\); S.I. 2015/820, reg. 2\(r\)\(v\)](#)

Commencement Information

I8 Sch. 2 para. 8 in force at 24.3.2003 by [S.I. 2003/333, art. 2, Sch.](#)

Blackmail

- 9 An offence under section 21 of the Theft Act 1968 (c. 60) (blackmail).

Commencement Information

I9 Sch. 2 para. 9 in force at 24.3.2003 by [S.I. 2003/333, art. 2, Sch.](#)

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[^{F10}9A An offence under section 12(1) or (2) of the Gangmasters (Licensing) Act 2004 (acting as a gangmaster other than under the authority of a licence, possession of false documents etc).]

Textual Amendments

F10 Sch. 2 para. 9A inserted (1.10.2006) by Gangmasters (Licensing) Act 2004 (c. 11), ss. 14(4), 29(1); S.I. 2006/2406, art. 2(e)

Textual Amendments

F10 Sch. 2 para. 9A inserted (1.10.2006) by Gangmasters (Licensing) Act 2004 (c. 11), ss. 14(4), 29(1); S.I. 2006/2406, art. 2(e)

Commencement Information

I9 Sch. 2 para. 9 in force at 24.3.2003 by S.I. 2003/333, art. 2, Sch.

Inchoate offences

10 (1) An offence of attempting, conspiring or inciting the commission of an offence specified in this Schedule.

[^{F11}(1A) An offence under section 44 of the Serious Crime Act 2007 of doing an act capable of encouraging or assisting the commission of an offence specified in this Schedule.]

(2) An offence of aiding, abetting, counselling or procuring the commission of such an offence.

Textual Amendments

F11 Sch. 2 para. 10(1A) inserted (1.10.2008) by Serious Crime Act 2007 (c. 27), s. 94(1), Sch. 6 para. 62 (with Sch. 13 para. 5); S.I. 2008/2504, art. 2(a)

Commencement Information

I10 Sch. 2 para. 10 in force at 24.3.2003 by S.I. 2003/333, art. 2, Sch.

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