



Proceeds of Crime Act 2002

2002 CHAPTER 29

PART 2

CONFISCATION: ENGLAND AND WALES

Procedural matters

18 Provision of information by defendant

- (1) This section applies if—
 - (a) the court is proceeding under section 6 in a case where section 6(3)(a) applies, or
 - (b) it is proceeding under section 6 in a case where section 6(3)(b) applies or it is considering whether to proceed.
- (2) For the purpose of obtaining information to help it in carrying out its functions [^{F1}(including functions under section 10A)] the court may at any time order the defendant to give it information specified in the order.
- (3) An order under this section may require all or a specified part of the information to be given in a specified manner and before a specified date.
- (4) If the defendant fails without reasonable excuse to comply with an order under this section the court may draw such inference as it believes is appropriate.
- (5) Subsection (4) does not affect any power of the court to deal with the defendant in respect of a failure to comply with an order under this section.
- (6) If the prosecutor ^{F2}... accepts to any extent an allegation made by the defendant—
 - (a) in giving information required by an order under this section, or
 - (b) in any other statement given to the court in relation to any matter relevant to [^{F3}deciding—
 - (i) the available amount under section 9, or

Changes to legislation: *Proceeds of Crime Act 2002, Section 18 is up to date with all changes known to be in force on or before 14 June 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) View outstanding changes*

- (ii) whether to make a determination under section 10A, or what determination to make (if the court decides to make one),]
- the court may treat the acceptance as conclusive of the matters to which it relates.
- (7) For the purposes of this section an allegation may be accepted in a manner ordered by the court.
- (8) If the court makes an order under this section it may at any time vary it by making another one.
- (9) No information given under this section which amounts to an admission by the defendant that he has benefited from criminal conduct is admissible in evidence in proceedings for an offence.

Textual Amendments

- F1** Words in s. 18(2) inserted (1.6.2015) by [Serious Crime Act 2015 \(c. 9\)](#), **ss. 2(2)(a)**, 88(1); S.I. 2015/820, reg. 3(a)
- F2** Words in s. 18(6) repealed (1.4.2008) by [Serious Crime Act 2007 \(c. 27\)](#), s. 94(1), Sch. 8 para. 7, **Sch. 14**; S.I. 2008/755, art. 2(1)(a)(d) (with arts. 3-14)
- F3** Words in s. 18(6)(b) substituted (1.6.2015) by [Serious Crime Act 2015 \(c. 9\)](#), **ss. 2(2)(b)**, 88(1); S.I. 2015/820, reg. 3(a)

Modifications etc. (not altering text)

- C1** Pt. 2 applied by [Terrorism Act 2000 \(c. 11\)](#), Sch. 8 paras. 8(5A), **34(3A)** (as substituted (24.3.2003) by [Proceeds of Crime Act 2002 \(c. 29\)](#), s. 458(1), **Sch. 11 para. 39(2)(5)**; S.S.I. 2003/210, art. 2(1)(b)(2), **sch.** (with art. 7); S.I. 2003/333, art. 2, **Sch.**)
- C2** Pt. 2 applied by [Police and Criminal Evidence Act 1984 \(c. 60\)](#), **ss. 56(5B)**, 58(8B) (as substituted (24.3.2003) by [Proceeds of Crime Act 2002 \(c. 29\)](#), s. 458(1), **Sch. 11 para. 14(2)(3)**; S.I. 2003/333, art. 2, **Sch.**)

Commencement Information

- I1** S. 18 in force at 24.3.2003 by [S.I. 2003/333](#), art. 2, **Sch.**

Changes to legislation:

Proceeds of Crime Act 2002, Section 18 is up to date with all changes known to be in force on or before 14 June 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.

[View outstanding changes](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 13(5)(a)(iia) inserted by [2015 c. 30 Sch. 5 para. 15\(3\)\(d\)](#)
- s. 323(1)(hc) inserted by [2023 c. 20 Sch. para. 45\(2\)](#)
- s. 323(4)(ec) inserted by [2023 c. 20 Sch. para. 45\(3\)](#)
- s. 323(5)(ec) inserted by [2023 c. 20 Sch. para. 45\(4\)](#)