



# Proceeds of Crime Act 2002

## 2002 CHAPTER 29

### PART 5

#### CIVIL RECOVERY OF THE PROCEEDS ETC. OF UNLAWFUL CONDUCT

### CHAPTER 3

#### RECOVERY OF CASH IN SUMMARY PROCEEDINGS

#### *Searches*

#### **291 Report on exercise of powers**

- (1) As soon as possible after the end of each financial year, the appointed person must prepare a report for that year.

“Financial year” means—

- (a) the period beginning with the day on which this section comes into force and ending with the next 31 March (which is the first financial year), and
  - (b) each subsequent period of twelve months beginning with 1 April.
- (2) The report must give his opinion as to the circumstances and manner in which the powers conferred by section 289 are being exercised in cases where the [<sup>F1</sup>officer of Revenue and Customs][<sup>F2</sup>, constable [<sup>F3</sup>, SFO officer] or accredited financial investigator] who exercised them is required to give a report under section 290(6).
  - (3) In the report, he may make any recommendations he considers appropriate.
  - (4) He must send a copy of his report to the Secretary of State or, as the case may be, the Scottish Ministers [<sup>F4</sup>or the Department of Justice], who must arrange for it to be published.
  - (5) The Secretary of State must lay a copy of any report he receives under this section before Parliament; and the Scottish Ministers must lay a copy of any report they

**Status:** Point in time view as at 28/06/2021.

**Changes to legislation:** *Proceeds of Crime Act 2002, Section 291 is up to date with all changes known to be in force on or before 06 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)*

receive under this section before the Scottish Parliament [<sup>F5</sup>; and the Department of Justice must lay a copy of any report it receives under this section before the Northern Ireland Assembly].

[<sup>F6</sup>(6) Section 41(3) of the Interpretation Act (Northern Ireland) 1954 applies for the purposes of subsection (5) in relation to the laying of a copy of a report as it applies in relation to the laying of a statutory document under an enactment.]

#### **Textual Amendments**

- F1** Words in s. 291(2) substituted (17.7.2013) by [Finance Act 2013 \(c. 29\)](#), **Sch. 48 para. 4**
- F2** Words in s. 291(2) substituted (6.4.2008) by [Serious Crime Act 2007 \(c. 27\)](#), s. 94(1), **Sch. 11 para. 4**; [S.I. 2008/755](#), art. 17(1)(f)
- F3** Words in s. 291(2) inserted (27.4.2017 for specified purposes, 31.1.2018 for E.W.S. in so far as not already in force, 28.6.2021 for N.I. in so far as not already in force) by [Criminal Finances Act 2017 \(c. 22\)](#), s. 58(1)(6), **Sch. 1 para. 13**; [S.I. 2018/78](#), reg. 3(aa); [S.I. 2021/724](#), reg. 3(b)
- F4** Words in s. 291(4) inserted (12.4.2010) by [The Northern Ireland Act 1998 \(Devolution of Policing and Justice Functions\) Order 2010 \(S.I. 2010/976\)](#), art. 1(2), **Sch. 14 para. 59(2)** (with arts. 28-31)
- F5** Words in s. 291(5) inserted (12.4.2010) by [The Northern Ireland Act 1998 \(Devolution of Policing and Justice Functions\) Order 2010 \(S.I. 2010/976\)](#), art. 1(2), **Sch. 14 para. 59(3)** (with arts. 28-31)
- F6** S. 291(6) inserted (12.4.2010) by [The Northern Ireland Act 1998 \(Devolution of Policing and Justice Functions\) Order 2010 \(S.I. 2010/976\)](#), art. 1(2), **Sch. 14 para. 59(4)** (with arts. 28-31)

#### **Modifications etc. (not altering text)**

- C1** Pt. 5 Ch. 3 applied (27.4.2017 for specified purposes, 31.1.2018 for E.W.S. in so far as not already in force, 28.6.2021 for N.I. in so far as not already in force) by 2007 c. 30, s. 24(1) (as substituted by [Criminal Finances Act 2017 \(c. 22\)](#), **ss. 21(3)**, 58(1)(6); [S.I. 2018/78](#), reg. 3(f); [S.I. 2021/724](#), reg. 2(1)(i))

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