



# 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

#### *Seizure and detention*

#### **294 Seizure of cash**

- (1) [<sup>F1</sup>An officer of Revenue and Customs][<sup>F2</sup>, a constable [<sup>F3</sup>, an SFO officer] or an accredited financial investigator] may seize any cash if he has reasonable grounds for suspecting that it is—
  - (a) recoverable property, or
  - (b) intended by any person for use in unlawful conduct.
- (2) [<sup>F1</sup>An officer of Revenue and Customs][<sup>F4</sup>, a constable [<sup>F5</sup>, an SFO officer] or an accredited financial investigator] may also seize cash part of which he has reasonable grounds for suspecting to be—
  - (a) recoverable property, or
  - (b) intended by any person for use in unlawful conduct,if it is not reasonably practicable to seize only that part.

<sup>F6</sup>(2A) .....

<sup>F7</sup>(2B) .....

<sup>F8</sup>(2C) .....

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**Changes to legislation:** *Proceeds of Crime Act 2002, Section 294 is up to date with all changes known to be in force on or before 04 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) View outstanding changes*

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(3) This section does not authorise the seizure of an amount of cash if it or, as the case may be, the part to which his suspicion relates, is less than the minimum amount.

[<sup>F9</sup>(4) This section does not authorise the seizure by [<sup>F10</sup>an SFO officer or] an accredited financial investigator of cash found in Scotland.]

#### Textual Amendments

- F1** Words in s. 294(1)(2) substituted (17.7.2013) by [Finance Act 2013 \(c. 29\), Sch. 48 para. 6\(2\)](#)
- F2** Words in s. 294(1) substituted (6.4.2008) by [Serious Crime Act 2007 \(c. 27\), s. 94\(1\), Sch. 11 para. 6\(2\); S.I. 2008/755, art. 17\(1\)\(f\)](#)
- F3** Words in s. 294(1) 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. 15\(2\); S.I. 2018/78, reg. 3\(aa\); S.I. 2021/724, reg. 3\(b\)](#)
- F4** Words in s. 294(2) substituted (6.4.2008) by [Serious Crime Act 2007 \(c. 27\), s. 94\(1\), Sch. 11 para. 6\(2\); S.I. 2008/755, art. 17\(1\)\(f\)](#)
- F5** Words in s. 294(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. 15\(3\); S.I. 2018/78, reg. 3\(aa\); S.I. 2021/724, reg. 3\(b\)](#)
- F6** S. 294(2A) omitted (27.4.2017 for specified purposes, 27.6.2017 in so far as not already in force) by virtue of [Criminal Finances Act 2017 \(c. 22\), ss. 18\(4\)\(b\), 58\(4\)\(6\)](#)
- F7** S. 294(2B) omitted (27.4.2017 for specified purposes, 27.6.2017 in so far as not already in force) by virtue of [Criminal Finances Act 2017 \(c. 22\), ss. 18\(4\)\(b\), 58\(4\)\(6\)](#)
- F8** S. 294(2C) omitted (27.4.2017 for specified purposes, 27.6.2017 in so far as not already in force) by virtue of [Criminal Finances Act 2017 \(c. 22\), ss. 18\(4\)\(b\), 58\(4\)\(6\)](#)
- F9** S. 294(4) inserted (6.4.2008) by [Serious Crime Act 2007 \(c. 27\), s. 94\(1\), Sch. 11 para. 6\(3\); S.I. 2008/755, art. 17\(1\)\(f\)](#)
- F10** Words in s. 294(4) 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. 15\(4\); S.I. 2018/78, reg. 3\(aa\); S.I. 2021/724, reg. 3\(b\)](#)

#### 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\(1\)\(i\)](#))
- C2** S. 294 restricted (18.4.2005) by [Commissioners for Revenue and Customs Act 2005 \(c. 11\), s. 53\(1\), Sch. 2 para. 13; S.I. 2005/1126, art. 2\(2\)\(d\)](#)

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Proceeds of Crime Act 2002, Section 294 is up to date with all changes known to be in force on or before 04 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.

[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\(4\)](#)