



Proceeds of Crime Act 2002

2002 CHAPTER 29

PART 7

MONEY LAUNDERING

Consent

[^{F1}336A Power of court to extend the moratorium period

- (1) The court may, on an application under this section, grant an extension of a moratorium period if satisfied that—
 - (a) an investigation is being carried out in relation to a relevant disclosure (but has not been completed),
 - (b) the investigation is being conducted diligently and expeditiously,
 - (c) further time is needed for conducting the investigation, and
 - (d) it is reasonable in all the circumstances for the moratorium period to be extended.
- (2) An application under this section may be made only by a senior officer.
- (3) The application must be made before the moratorium period would otherwise end.
- (4) An extension of a moratorium period must end no later than 31 days beginning with the day after the day on which the period would otherwise end.
- (5) Where a moratorium period is extended by the court under this section, it may be further extended by the court (on one or more occasions) on the making of another application.
- (6) A moratorium period extended in accordance with subsection (2) or (4) of section 336C may also be further extended by the court on the making of an application under this section.
- (7) But the court may not grant a further extension of a moratorium period if the effect would be to extend the period by more than 186 days (in total) beginning with the day

Status: Point in time view as at 31/10/2017. This version of this provision has been superseded.

Changes to legislation: Proceeds of Crime Act 2002, Section 336A is up to date with all changes known to be in force on or before 22 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)

after the end of the 31 day period mentioned in section 335(6) or (as the case may be) section 336(8).

- (8) Subsections (1) to (4) apply to any further extension of a moratorium period as they apply to the first extension of the period under this section.
- (9) An application under this section may be made by an immigration officer only if the officer has reasonable grounds for suspecting that conduct constituting the prohibited act in relation to which the moratorium period in question applies—
- (a) relates to the entitlement of one or more persons who are not nationals of the United Kingdom to enter, transit across, or be in, the United Kingdom (including conduct which relates to conditions or other controls on any such entitlement), or
 - (b) is undertaken for the purposes of, or otherwise in relation to, a relevant nationality enactment.
- (10) In subsection (9)—
- “prohibited act” has the meaning given by section 335(8) or (as the case may be) section 336(10);
- “relevant nationality enactment” means any enactment in—
- (a) the British Nationality Act 1981,
 - (b) the Hong Kong Act 1985,
 - (c) the Hong Kong (War Wives and Widows) Act 1996,
 - (d) the British Nationality (Hong Kong) Act 1997,
 - (e) the British Overseas Territories Act 2002, or
 - (f) an instrument made under any of those Acts.]

Textual Amendments

- F1** Ss. 336A-336D inserted (27.4.2017 for specified purposes, 31.10.2017 for E.W.S. in so far as not already in force) by [Criminal Finances Act 2017 \(c. 22\)](#), [ss. 10\(4\), 58\(1\)\(6\)](#); S.I. 2017/991, [reg. 2\(a\)](#) (with [reg. 3\(1\)](#))

Status:

Point in time view as at 31/10/2017. This version of this provision has been superseded.

Changes to legislation:

Proceeds of Crime Act 2002, Section 336A is up to date with all changes known to be in force on or before 22 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.