



# Proceeds of Crime Act 2002

## 2002 CHAPTER 29

### PART 2

#### CONFISCATION: ENGLAND AND WALES

##### *Restraint orders*

#### 44 Appeal to [<sup>F1</sup>Supreme Court]

- (1) An appeal lies to the [<sup>F2</sup>Supreme Court] from a decision of the Court of Appeal on an appeal under section 43.
- (2) An appeal under this section lies at the instance of any person who was a party to the proceedings before the Court of Appeal.
- (3) On an appeal under this section the [<sup>F3</sup>Supreme Court] may—
  - (a) confirm the decision of the Court of Appeal, or
  - (b) make such order as it believes is appropriate.

#### Textual Amendments

- F1** Words in s. 44 sidenote substituted (1.10.2009) by [Constitutional Reform Act 2005 \(c. 4\), s. 148\(1\), Sch. 9 para. 77\(3\)](#); S.I. 2009/1604, art. 2(d)
- F2** Words in s. 44(1) substituted (1.10.2009) by [Constitutional Reform Act 2005 \(c. 4\), s. 148\(1\), Sch. 9 para. 77\(3\)](#); S.I. 2009/1604, art. 2(d)
- F3** Words in s. 44(3) substituted (1.10.2009) by [Constitutional Reform Act 2005 \(c. 4\), s. 148\(1\), Sch. 9 para. 77\(3\)](#); S.I. 2009/1604, art. 2(d)

#### 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.](#))

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*Status: Point in time view as at 30/01/2018.*

**Changes to legislation:** *Proceeds of Crime Act 2002, Section 44 is up to date with all changes known to be in force on or before 02 September 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)*

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- 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.**)
- C3** Pt. 2 applied (with modifications) (1.6.2015) by The Restraint Orders (Legal Aid Exception and Relevant Legal Aid Payments) Regulations 2015 (S.I. 2015/868), regs. 1, **5** (with reg. 4)

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**Commencement Information**

- I1** S. 44 in force at 24.3.2003 by S.I. 2003/333, art. 2, **Sch.**

**Status:**

Point in time view as at 30/01/2018.

**Changes to legislation:**

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