



Proceeds of Crime Act 2002

2002 CHAPTER 29

PART 2

CONFISCATION: ENGLAND AND WALES

Seized money

67 Seized money

- (1) This section applies to money which—
 - (a) is held by a person, and
 - (b) is held in an account maintained by him with a bank or a building society.
- (2) This section also applies to money which is held by a person and which—
 - (a) has been seized by a constable under section 19 of the Police and Criminal Evidence Act 1984 (c. 60) (general power of seizure etc), and
 - (b) is held in an account maintained by a police force with a bank or a building society.
- (3) This section also applies to money which is held by a person and which—
 - (a) has been seized by a customs officer under section 19 of the 1984 Act as applied by order made under section 114(2) of that Act, and
 - (b) is held in an account maintained by the Commissioners of Customs and Excise with a bank or a building society.
- (4) This section applies if the following conditions are satisfied—
 - (a) a restraint order has effect in relation to money to which this section applies;
 - (b) a confiscation order is made against the person by whom the money is held;
 - (c) the Director has not been appointed as the enforcement authority for the confiscation order;
 - (d) a receiver has not been appointed under section 50 in relation to the money;
 - (e) any period allowed under section 11 for payment of the amount ordered to be paid under the confiscation order has ended.

Status: Point in time view as at 01/04/2005. This version of this provision has been superseded.

Changes to legislation: Proceeds of Crime Act 2002, Section 67 is up to date with all changes known to be in force on or before 29 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)

- (5) In such a case a magistrates' court may order the bank or building society to pay the money to the [^{F1}designated officer] for the court on account of the amount payable under the confiscation order.
- (6) If a bank or building society fails to comply with an order under subsection (5)—
- (a) the magistrates' court may order it to pay an amount not exceeding £5,000, and
 - (b) for the purposes of the Magistrates' Courts Act 1980 (c. 43) the sum is to be treated as adjudged to be paid by a conviction of the court.
- (7) In order to take account of changes in the value of money the Secretary of State may by order substitute another sum for the sum for the time being specified in subsection (6)
- (a).
- (8) For the purposes of this section—
- (a) a bank is a deposit-taking business within the meaning of the Banking Act 1987 (c. 22);
 - (b) "building society" has the same meaning as in the Building Societies Act 1986 (c. 53).

Textual Amendments

- F1** Words in s. 67(5) substituted (1.4.2005) by Courts Act 2003 (c. 39), s. 110(1), **Sch. 8 para. 409**; S.I. 2005/910, art. 3(y)

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

Status:

Point in time view as at 01/04/2005. This version of this provision has been superseded.

Changes to legislation:

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