



Proceeds of Crime Act 2002

2002 CHAPTER 29

PART 3 **S**

CONFISCATION: SCOTLAND

Confiscation orders

[^{F1}97B Orders for securing compliance with confiscation order **S**

- (1) This section applies where the court makes a confiscation order.
- (2) The court may make such order in relation to the accused as it believes is appropriate for the purpose of ensuring that the confiscation order is effective (a “compliance order”).
- (3) The court must consider whether to make a compliance order—
 - (a) on the making of the confiscation order, and
 - (b) if it does not make a compliance order then, at any later time (while the confiscation order is still in effect) on the application of the prosecutor.
- (4) In considering whether to make a compliance order, the court must, in particular, consider whether any restriction or prohibition on the accused's travel outside the United Kingdom ought to be imposed for the purpose mentioned in subsection (2).
- (5) The court may discharge or vary a compliance order on an application made by—
 - (a) the prosecutor;
 - (b) the accused.
- (6) For the purposes of any appeal or review, a compliance order is a sentence.]

Textual Amendments

- F1** Ss. 97B-97D inserted (1.3.2016) by [Serious Crime Act 2015 \(c. 9\)](#), **ss. 16, 88(2)(a)** (with s. 86(3)); S.S.I. 2016/11, reg. 2(a)

Changes to legislation:

Proceeds of Crime Act 2002, Section 97B is up to date with all changes known to be in force on or before 20 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.

[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\(4\)](#)