

SCHEDULES

SCHEDULE 4

MINOR AND CONSEQUENTIAL AMENDMENTS

Proceeds of Crime Act 2002 (c. 29)

- 32 (1) Section 42 of that Act (application, discharge and variation of restraint orders) is amended as follows.
- (2) In subsection (4), for “(7)” substitute “(8)”.
- (3) For subsection (7) substitute—
- “(7) If the condition in section 40 which was satisfied was that an investigation was started—
- (a) the court must discharge the order if within a reasonable time proceedings for the offence are not started;
- (b) otherwise, the court must discharge the order on the conclusion of the proceedings.
- (8) If the condition in section 40 which was satisfied was that an application was to be made—
- (a) the court must discharge the order if within a reasonable time the application is not made;
- (b) otherwise, the court must discharge the order on the conclusion of the application.”