

Status: Point in time view as at 10/02/2021.

Changes to legislation: There are currently no known outstanding effects for the Serious Crime Act 2015, Paragraph 40. (See end of Document for details)

SCHEDULES

SCHEDULE 4

MINOR AND CONSEQUENTIAL AMENDMENTS

Proceeds of Crime Act 2002 (c. 29)

- 40 (1) Section 106 of that Act (order made: reconsideration of benefit) is amended as follows.
- (2) In subsection (8), after paragraph (c) insert—
- “(d) any restitution order which has been made against the accused in respect of the offence (or any of the offences) concerned;
 - (e) any order under section 253F(2) of the Procedure Act requiring the accused to pay a victim surcharge in respect of the offence (or any of the offences) concerned.”
- (3) In subsection (9)—
- (a) for “the court must not” substitute “the court—
(a) must not”;
 - (b) at the end insert—
“(b) must not have regard to an order falling within subsection (8)(d) or (e) if a court has made a direction under section 97A(2) or (4).”

Commencement Information

- I1** Sch. 4 para. 40 in force at 25.11.2019 for specified purposes by S.S.I. 2019/281, reg. 2
- I2** Sch. 4 para. 40 in force at 10.2.2021 in so far as not already in force by S.S.I. 2020/407, reg. 2(1)(c)

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