

*Status: Point in time view as at 25/11/2019.*

*Changes to legislation: There are currently no known outstanding effects for the Serious Crime Act 2015, Paragraph 41. (See end of Document for details)*

## SCHEDULES

### SCHEDULE 4

#### MINOR AND CONSEQUENTIAL AMENDMENTS

##### *Proceeds of Crime Act 2002 (c. 29)*

- 41 (1) Section 107 of that Act (order made: reconsideration of available amount) is amended as follows.
- (2) In subsection (4), 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 (5)—
- (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 (4)(d) or (e) if a court has made a direction under section 97A(2) or (4).”

#### **Commencement Information**

**II** Sch. 4 para. 41 in force at 25.11.2019 for specified purposes by S.S.I. 2019/281, reg. 2

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