

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).”