
STATUTORY INSTRUMENTS

2003 No. 423

The Magistrates' Courts (Amendment) Rules 2003

Citation and Commencement

1. These Rules may be cited as the Magistrates' Courts (Amendment) Rules 2003 and shall come into force on 24th March 2003.

Magistrates' Courts Rules 1981

2.—(1) The Magistrates' Courts Rules 1981⁽¹⁾ are amended as follows.

(2) After rule 57, there is inserted—

“Payment of money in bank or building society account in satisfaction of confiscation order

57A.—(1) An order under section 67 of the Proceeds of Crime Act 2002⁽²⁾ requiring a bank or building society to pay money to a justices' chief executive (“a payment order”) shall—

- (a) be directed to the bank or building society in respect of which the payment order is made;
- (b) name the person against whom the confiscation order has been made;
- (c) state the amount which remains to be paid under the confiscation order;
- (d) state the name and address of the branch at which the account in which the money ordered to be paid is held and the sort code of that branch, if the sort code is known;
- (e) state the name in which the account in which the money ordered to be paid is held and the account number of that account, if the account number is known;
- (f) state the amount which the bank or building society is required to pay to the justices' chief executive under the payment order;
- (g) give the name and address of the justices' chief executive to whom payment is to be made; and
- (h) require the bank or building society to make payment within a period of 7 days beginning on the day on which the payment order is made, unless it appears to the court that a longer or shorter period would be appropriate in the particular circumstances.

(2) The payment order shall be served on the bank or building society in respect of which it is made by leaving it at, or sending it by first class post to, the principal office of the bank or building society.

(3) A payment order which is served by first class post shall, unless the contrary is proved, be deemed to have been served on the second business day after posting.

(4) In this rule—

- (a) “business day” means any day other than—

(1) S.I.1981/552, as amended.

(2) 2002 c. 29.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (i) a Saturday, Sunday, Christmas Day or Good Friday; or
 - (ii) a bank holiday under the Banking and Financial Dealings Act 1971⁽³⁾, in England and Wales;
- (b) “confiscation order” has the meaning given to it by section 88(6) of the Proceeds of Crime Act 2002.”

Magistrates' Courts (Forms) Rules 1981

3.—(1) The Magistrates' Courts (Forms) Rules 1981⁽⁴⁾ are amended as follows.

(2) In Schedule 2, after the form numbered 63, there is inserted the form numbered 63A in the Schedule to these Rules.

20th February 2003

Irvine of Lairg, C.

⁽³⁾ 1971 c. 80.

⁽⁴⁾ S.I. 1981/553, as amended.