
STATUTORY INSTRUMENTS

2005 No. 384

The Criminal Procedure Rules 2005

PART 58

PROCEEDS OF CRIME ACT 2002—RULES APPLICABLE
ONLY TO CONFISCATION PROCEEDINGS

Compensation—confiscation order made against absconder

58.11.—(1) This rule applies to an application for compensation under section 73 of the Proceeds of Crime Act 2002.

(2) The application must be in writing and supported by a witness statement which must give details of—

- (a) the confiscation order made under section 28 of the 2002 Act;
- (b) the variation or discharge of the confiscation order under section 29 or 30 of the 2002 Act;
- (c) the realisable property to which the application relates; and
- (d) the loss suffered by the applicant as result of the confiscation order.

(3) The application and witness statement must be lodged with the Crown Court.

(4) The application and witness statement must be served on the prosecutor or, if the Director is appointed as the enforcement authority under section 34 of the 2002 Act, the Director at least seven days before the date fixed by the court for hearing the application, unless the Crown Court specifies a shorter period.

[Note. Formerly rule 15 of the Crown Court (Confiscation, Restraint and Receivership) Rules 2003.]