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STATUTORY INSTRUMENTS

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**2005 No. 384**

**The Criminal Procedure Rules 2005**

**PART 58**

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

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

**58.12.**—(1) An order under section 67 of the Proceeds of Crime Act 2002<sup>(1)</sup> requiring a bank or building society to pay money to a magistrates' court officer (“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 court officer under the payment order;
- (g) give the name and address of the court officer to whom payment is to be made; and
- (h) require the bank or building society to make payment within a period of seven 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 “confiscation order” has the meaning given to it by section 88(6) of the Proceeds of Crime Act 2002.

*[Note. Formerly rule 57A of the Magistrates' Courts Rules 1981(2).]*

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(1) Section 67 was amended by the Courts Act 2003 (c. 39), Schedule 8, paragraph 409.

(2) S.I. 1981/552; amended by S.I. 2003/423; there are other amending instruments but none is relevant.