
STATUTORY INSTRUMENTS

2010 No. 60

The Criminal Procedure Rules 2010

PART 58

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

Application for new calculation of available amount

58.4.—(1) This rule applies where the prosecutor or a receiver makes an application under section 22 of the Proceeds of Crime Act 2002⁽¹⁾ for a new calculation of the available amount.

- (2) The application must be in writing and may be supported by a witness statement.
- (3) The application and any witness statement must be lodged with the Crown Court.
- (4) The application and any witness statement must be served on—
 - (a) the defendant;
 - (b) the receiver, if the prosecutor is making the application and a receiver has been appointed under section 50 of the 2002 Act; and
 - (c) the prosecutor, if the receiver is making the application,

at least seven days before the date fixed by the court for hearing the application, unless the Crown Court specifies a shorter period.

(1) 2002 c. 29; section 22 was amended by section 74(2) of, and paragraph 11 of Schedule 8 to, the [Serious Crime Act 2007](#) (c. 27).