
STATUTORY INSTRUMENTS

2017 No. 1223

The Proceeds of Crime Act 2002 (Administrative Forfeiture Notices) (England and Wales and Northern Ireland) Regulations 2017

PART 1

Introduction

Citation, commencement, extent and interpretation

1.—(1) These Regulations may be cited as the Proceeds of Crime Act 2002 (Administrative Forfeiture Notices) (England and Wales and Northern Ireland) Regulations 2017, and come into force on 31st January 2018.

(2) The extent of these Regulations is as follows—

- (a) [^{F1}Parts 1 and 2 extend] to England and Wales and Northern Ireland;
- (b) [^{F2}Part 3 extends] to England and Wales;
- (c) Part 4 extends to Northern Ireland.

(3) In these Regulations—

“the Act” means the Proceeds of Crime Act 2002;

“child” means a person under 18 years;

“electronic communication” has the meaning given by section 15(1) of the Electronic Communications Act 2000 ^{M1};

“protected person” means—

- (a) in England and Wales, a person who lacks capacity within the meaning of the Mental Capacity Act 2005 ^{M2} in relation to an account forfeiture notice;
- (b) in Northern Ireland, means a person who is 16 years or over who lacks capacity to understand the nature of an account forfeiture notice because of an impairment of, or a disturbance in the functioning of, the mind or brain;
- (c) in Scotland, an adult who is incapable, within the meaning of the Adults with Incapacity (Scotland) Act 2000 ^{M3}, of understanding the nature of an account forfeiture notice.

Textual Amendments

- F1** Words in reg. 1(2)(a) substituted (28.6.2021) by [The Proceeds of Crime Act 2002 \(Administrative Forfeiture Notices\) \(England and Wales and Northern Ireland\) \(Amendment\) Regulations 2021 \(S.I. 2021/639\)](#), regs. 1(2), **2(2)(a)**

Status: Point in time view as at 28/06/2021.

Changes to legislation: There are currently no known outstanding effects for the *The Proceeds of Crime Act 2002 (Administrative Forfeiture Notices) (England and Wales and Northern Ireland) Regulations 2017, PART 1. (See end of Document for details)*

F2 Words in reg. 1(2)(b) substituted (28.6.2021) by [The Proceeds of Crime Act 2002 \(Administrative Forfeiture Notices\) \(England and Wales and Northern Ireland\) \(Amendment\) Regulations 2021 \(S.I. 2021/639\)](#), regs. 1(2), **2(2)(b)**

Marginal Citations

- M1** 2000 c. 7. Section 15(1) was amended by paragraph 158 of Schedule 17 to the [Communications Act 2003 \(c. 21\)](#).
- M2** 2005 c. 9.
- M3** 2000 asp 4.

Status:

Point in time view as at 28/06/2021.

Changes to legislation:

There are currently no known outstanding effects for the The Proceeds of Crime Act 2002 (Administrative Forfeiture Notices) (England and Wales and Northern Ireland) Regulations 2017, PART 1.