
STATUTORY INSTRUMENTS

2017 No. 1223

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

PART 2

Account Forfeiture Notices – Forfeiture of Money Held in [F¹Certain] Accounts

Giving an account forfeiture notice by means of electronic communication

5.—(1) An account forfeiture notice may be given by means of fax, email or other means of electronic communication where the intended recipient has previously indicated in writing—

- (a) that they are willing to accept the giving of an account forfeiture notice by that means of electronic communication, and
- (b) the fax number, email address or other electronic identification to which the account forfeiture notice must be sent.

(2) Where a senior officer intends to give an account forfeiture notice by means of electronic communication (other than by fax), the senior officer must first ask the intended recipient whether there are any limitations to the intended recipient's agreement to accept service by such means (for example, the format in which documents are to be sent and the maximum size of attachments that may be received).

(3) Giving an account forfeiture notice by means of electronic communication is effected by sending or transmitting the notice in accordance with the written indication given by the intended recipient under paragraph (1), having complied with any reasonable limitations specified by the intended recipient in response to a request under paragraph (2).

(4) The account forfeiture notice is to be treated as having been given on the day on which it is sent or transmitted if the electronic communication containing it is sent or transmitted at or before 4.30pm.

(5) If the electronic communication is sent or transmitted after 4.30pm, the notice is to be treated as having been given the following day.

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, Section 5.