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STATUTORY INSTRUMENTS

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**2019 No. 1369**

**The Magistrates' Courts (Proceeds of Crime Act 2002 (External Requests and Orders) Order 2005, Part 5B) Rules 2019**

**Application for the variation or setting aside of an account freezing order**

4.—(1) An application under article 213Z4(1) of the Order to vary or set aside an account freezing order made under article 213Z3(2) of the Order must be made in writing to the court before which the applicant wishes to make the application, and must specify the grounds on which it is made.

(2) But if the applicant has been given notice of an order made under article 213Z3(2) of the Order in respect of the account which is the subject of the application, then the application must be sent to the court which sent the applicant that notice.

(3) The court must send a copy of the application to every person to whom notice of a previous related order made under article 213Z3(2) or 213Z4(1) of the Order has been given.

(4) The court must fix a date for the hearing of the application, which, unless directed otherwise, shall not be earlier than seven days from the date on which it is fixed, and must notify that date to the applicant and to every person to whom a copy of the application is required to be sent under paragraph (3).

(5) At the hearing of an application under article 213Z4(1) of the Order, the court may, if it thinks fit, order that the applicant be joined as a party to all the proceedings in relation to the account which is the subject of an order under article 213Z3(2) of the Order.

(6) The court must give a copy of the order to every person to whom notice of the previous related orders has been given.

(7) The court must also give—

- (a) notice of the order; and
- (b) a copy of the order,

to any person other than one referred to in paragraph (4) who is known to be affected by the order.