



Serious Organised Crime and Police Act 2005

2005 CHAPTER 15

PART 2

INVESTIGATIONS, PROSECUTIONS, PROCEEDINGS AND PROCEEDS OF CRIME

CHAPTER 6

PROCEEDS OF CRIME

99 Civil recovery: interim receivers' expenses etc.

- (1) The Proceeds of Crime Act 2002 (c. 29) is amended as follows.
- (2) In section 280 (civil recovery orders: applying realised proceeds), after subsection (2) insert—
 - “(3) The Director may apply a sum received by him under subsection (2) in making payment of the remuneration and expenses of—
 - (a) the trustee, or
 - (b) any interim receiver appointed in, or in anticipation of, the proceedings for the recovery order.
 - (4) Subsection (3)(a) does not apply in relation to the remuneration of the trustee if the trustee is a member of the staff of the Agency.”
- (3) In section 284 (payment of interim administrator or trustee (Scotland))—
 - (a) the existing words become subsection (1), and
 - (b) after that subsection insert—
 - “(2) The Scottish Ministers may apply a sum received by them under section 280(2) in making payment of such fees or expenses.

Status: This is the original version (as it was originally enacted).

- (3) Subsection (2) does not apply in relation to the fees of a trustee for civil recovery if the trustee is a member of their staff.”
- (4) In paragraph 5 of Schedule 1 (finances of the Assets Recovery Agency), after sub-paragraph (1) (paragraph (b) of which provides for the expenses of the Director and staff of the Agency to be paid out of money provided by Parliament) insert—
- “(1A) Sub-paragraph (1)(b) has effect subject to anything in this Act.”