
Changes to legislation: There are currently no known outstanding effects for the Policing and Crime Act 2009, Paragraph 93. (See end of Document for details)

SCHEDULES

SCHEDULE 7

MINOR AND CONSEQUENTIAL AMENDMENTS

PART 6

PROCEEDS OF CRIME: CONFISCATION

Proceeds of Crime Act 2002 (c. 29)

- 93 (1) Section 432 (insolvency practitioners) is amended as follows.
- (2) After subsection (6) insert—
- “(6A) Subsection (7) also applies if—
- (a) property is detained under or by virtue of section 44A, 47J, 47K, 47M, 47P, 122A, 127J, 127K, 127M, 127P, 193A, 195J, 195K, 195M or 195P,
 - (b) a person acting as an insolvency practitioner incurs expenses which are not ones in respect of the detained property, and
 - (c) the expenses are ones which (but for the effect of the detention of the property) might have been met by taking possession of and realising the property.”
- (3) For subsection (7) substitute—
- “(7) Whether or not the insolvency practitioner has seized or disposed of any property, the insolvency practitioner is entitled to payment of the expenses under—
- (a) section 54(2), 55(3) or 67D(2) if the restraint order was made under section 41 or (as the case may be) the property was detained under or by virtue of section 44A, 47J, 47K, 47M or 47P,
 - (b) section 130(3), 131(3) or 131D(2) if the restraint order was made under section 120 or (as the case may be) the property was detained under or by virtue of section 122A, 127J, 127K, 127M or 127P, and
 - (c) section 202(2), 203(3) or 215D(2) if the restraint order was made under section 190 or (as the case may be) the property was detained under or by virtue of section 193A, 195J, 195K, 195M or 195P.”

Commencement Information

- I1** Sch. 7 para. 93 in force at 1.6.2015 for specified purposes by [S.I. 2015/983](#), [arts. 2\(2\)\(e\)](#), [3\(dd\)](#)
- I2** Sch. 7 para. 93 in force at 1.3.2016 in so far as not already in force by [S.I. 2016/147](#), [art. 3\(i\)](#)

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