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**Changes to legislation:** There are currently no known outstanding effects for the Serious Crime Act 2015, Paragraph 38. (See end of Document for details)

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## SCHEDULES

### SCHEDULE 4

#### MINOR AND CONSEQUENTIAL AMENDMENTS

##### *Proceeds of Crime Act 2002 (c. 29)*

- 38 (1) Section 104 of that Act (no order made: reconsideration of case) is amended as follows.
- (2) In subsection (7), after paragraph (d) insert—
- “(e) any restitution order which has been made against the accused in respect of the offence (or any of the offences) concerned;
  - (f) any order under section 253F(2) of the Procedure Act requiring the accused to pay a victim surcharge in respect of the offence (or any of the offences) concerned.”
- (3) After subsection (8) insert—
- “(8A) If a restitution order or an order under section 253F(2) of the Procedure Act has been made against the accused in respect of the offence or offences concerned, section 97A(2) and (4) does not apply.”

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#### Commencement Information

- 11** [Sch. 4 para. 38](#) in force at 25.11.2019 for specified purposes by [S.S.I. 2019/281](#), [reg. 2](#)
- 12** [Sch. 4 para. 38](#) in force at 10.2.2021 in so far as not already in force by [S.S.I. 2020/407](#), [reg. 2\(1\)\(c\)](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Serious Crime Act 2015, Paragraph 38.