

*Changes to legislation: There are currently no known outstanding effects for the Criminal Finances Act 2017, Section 39. (See end of Document for details)*

## SCHEDULES

### SCHEDULE 5

#### MINOR AND CONSEQUENTIAL AMENDMENTS

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

- 39 (1) Section 341 (investigations for purposes of Part 8) is amended as follows.
- (2) In subsection (3)—
- (a) omit “or” at the end of paragraph (c);
  - (b) in paragraph (d), after “295” insert “, 303K or 303L ”;
  - (c) at the end of paragraph (d) insert “, or
  - (e) property held in an account in relation to which an account freezing order made under section 303Z3 has effect.”
- (3) After subsection (3A) insert—
- “(3B) For the purposes of this Part a detained property investigation is an investigation for the purposes of Chapter 3A of Part 5 into—
- (a) the derivation of property detained under that Chapter, or a part of such property, or
  - (b) whether property detained under that Chapter, or a part of such property, is intended by any person to be used in unlawful conduct.
- (3C) For the purposes of this Part a frozen funds investigation is an investigation for the purposes of Chapter 3B of Part 5 into—
- (a) the derivation of money held in an account in relation to which an account freezing order made under section 303Z3 has effect (a “frozen account”) or of a part of such money, or
  - (b) whether money held in a frozen account, or a part of such money, is intended by any person to be used in unlawful conduct.”

#### **Annotations:**

#### **Commencement Information**

- I1** Sch. 5 para. 39 in force at Royal Assent for specified purposes, see s. 58
- I2** Sch. 5 para. 39 in force at 31.1.2018 for specified purposes for E.W.S. by S.I. 2018/78, reg. 5(3)(b)(i)
- I3** Sch. 5 para. 39 in force at 16.4.2018 for E.W.S. in so far as not already in force by S.I. 2018/78, reg. 5(3)(b)(ii)

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