



# Limitation Act 1980

## 1980 CHAPTER 58

### PART I

#### ORDINARY TIME LIMITS FOR DIFFERENT CLASSES OF ACTION

##### *Miscellaneous and supplemental*

#### **[<sup>F1</sup>27A] Actions for recovery of property obtained through unlawful conduct etc.**

- (1) None of the time limits given in the preceding provisions of this Act applies to any proceedings under Chapter 2 of Part 5 of the Proceeds of Crime Act 2002 (civil recovery of proceeds of unlawful conduct).
- (2) Proceedings under that Chapter for a recovery order in respect of any recoverable property shall not be brought after the expiration of the period of [<sup>F2</sup>20 years] from the date on which the [<sup>F3</sup>relevant person's] cause of action accrued.
- (3) Proceedings under that Chapter are brought when—
  - (a) a claim form is issued, or
  - [ an application is made for a property freezing order, or]
  - <sup>F4</sup>(aa)
  - (b) an application is made for an interim receiving order, whichever is the [<sup>F5</sup>earliest].
- (4) The [<sup>F6</sup>relevant person's] cause of action accrues in respect of any recoverable property—
  - (a) in the case of proceedings for a recovery order in respect of property obtained through unlawful conduct, when the property is so obtained,
  - (b) in the case of proceedings for a recovery order in respect of any other recoverable property, when the property obtained through unlawful conduct which it represents is so obtained.

[ Subsection (4) is subject to section 13(5) of the Criminal Finances Act 2017 (which <sup>F7</sup>(4A) provides that, in the case of property obtained through unlawful conduct relating to a

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gross human rights abuse or violation, proceedings cannot be brought after the end of the period of 20 years from the date on which the conduct constituting the commission of the abuse or violation occurs).]

- (5) If—
- (a) a person would (but for the preceding provisions of this Act) have a cause of action in respect of the conversion of a chattel, and
  - (b) proceedings are started under that Chapter for a recovery order in respect of the chattel,
- section 3(2) of this Act does not prevent his asserting on an application under section 281 of that Act that the property belongs to him, or the court making a declaration in his favour under that section.
- (6) If the court makes such a declaration, his title to the chattel is to be treated as not having been extinguished by section 3(2) of this Act.
- (7) Expressions used in this section and Part 5 of that Act have the same meaning in this section as in that Part.

[ In this section “ relevant person ” means—

- <sup>F8</sup>(8) [<sup>F9</sup>(a) the National Crime Agency,  
 (b) the Director of Public Prosecutions,  
<sup>F10</sup>(c) .....  
 (d) the Director of the Serious Fraud Office.  
 [ Her Majesty’s Revenue and Customs, or  
<sup>F11</sup>(e)  
 (f) the Financial Conduct Authority.]]]

#### Textual Amendments

- F1** S. 27A inserted (24.2.2003) by [Proceeds of Crime Act 2002 \(c. 29\)](#), **ss. 288(1)**, 458(1); S.I. 2003/120, **art. 2(1)**, [Sch.](#) (subject to [arts. 3-7](#)) (as amended by S.I. 2003/333, [art. 14](#))
- F2** Words in s. 27A(2) substituted (25.1.2010) by [Policing and Crime Act 2009 \(c. 26\)](#), **ss. 62**, 116(1); S.I. 2009/3096, [art. 3\(h\)](#)
- F3** Words in s. 27A(2) substituted (1.4.2008) by [Serious Crime Act 2007 \(c. 27\)](#), **ss. 74(2)**, 94, **Sch. 8 para. 147(2)**; S.I. 2008/755, **art. 2(1)(a)** (subject to [arts. 3-14](#))
- F4** S. 27A(3)(aa) inserted (1.1.2006) by [Serious Organised Crime and Police Act 2005 \(c. 15\)](#), **ss. 109**, 178, **Sch. 6 para. 2(a)**; S.I. 2005/3136, **art. 3**
- F5** Word in s. 27A(3) substituted (1.1.2006) by [Serious Organised Crime and Police Act 2005 \(c. 15\)](#), **ss. 109**, 178, **Sch. 6 para. 2(b)**; S.I. 2005/3136, **art. 3**
- F6** Words in s. 27A(4) substituted (1.4.2008) by [Serious Crime Act 2007 \(c. 27\)](#), **ss. 74(2)**, 94, **Sch. 8 para. 147(3)**; S.I. 2008/755, **art. 2(1)(a)** (subject to [arts. 3-14](#))
- F7** S. 27A(4A) inserted (27.4.2017 for specified purposes, 31.1.2018 in so far as not already in force) by [Criminal Finances Act 2017 \(c. 22\)](#), **s. 58(5)(6)**, **Sch. 5 para. 2(2)**; S.I. 2018/78, [reg. 5\(1\)\(a\)](#)
- F8** S. 27A(8) inserted (1.4.2008) by [Serious Crime Act 2007 \(c. 27\)](#), **ss. 74(2)**, 94, **Sch. 8 para. 147(4)**; S.I. 2008/755, **art. 2(1)(a)** (subject to [arts. 3-14](#))
- F9** S. 27A(8)(a) substituted (7.10.2013) by [Crime and Courts Act 2013 \(c. 22\)](#), **s. 61(2)**, **Sch. 8 para. 28(1)**; S.I. 2013/1682, [art. 3\(v\)](#)
- F10** S. 27A(8)(c) omitted (27.3.2014) by virtue of [The Public Bodies \(Merger of the Director of Public Prosecutions and the Director of Revenue and Customs Prosecutions\) Order 2014 \(S.I. 2014/834\)](#), [art. 1\(1\)](#), **Sch. 2 para. 4**

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**F11** S. 27A(8)(e)(f) inserted (27.4.2017 for specified purposes, 31.1.2018 in so far as not already in force) by Criminal Finances Act 2017 (c. 22), s. 58(5)(6), **Sch. 5 para. 2(3)**; S.I. 2018/78, reg. 5(1)(a)

**Changes to legislation:**

There are currently no known outstanding effects for the Limitation Act 1980, Section 27A.