



Proceeds of Crime Act 1995

1995 CHAPTER 11

Incidental provisions relating to confiscation

9 Payment of interest on sums unpaid

The following section shall be inserted in the 1988 Act after section 75—

“75A Interest on sums unpaid under confiscation orders

- (1) If any sum required to be paid by a person under a confiscation order is not paid when it is required to be paid (whether forthwith on the making of the order or at a time specified under section 31(1) of the Powers of Criminal Courts Act 1973 or for the purposes of section 75(1) or (2) of the Magistrates' Courts Act 1980)—
 - (a) that person shall be liable to pay interest on that sum for the period for which it remains unpaid, and
 - (b) the amount of the interest shall, for the purposes of enforcement, be treated as part of the amount to be recovered from him under the confiscation order.
- (2) The Crown Court may, on the application of the prosecutor, increase the term of imprisonment or detention fixed in respect of the confiscation order under section 31(2) of that Act of 1973 (as it has effect by virtue of section 75 above) if the effect of subsection (1) above is to increase the maximum period applicable in relation to the order under section 31(3A) of that Act of 1973.
- (3) The rate of interest under subsection (1) above shall be that for the time being applying to a civil judgment debt under section 17 of the Judgments Act 1838.”