



Proceeds of Crime Act 2002

2002 CHAPTER 29

PART 4

CONFISCATION: NORTHERN IRELAND

*[^{F1}Seized money [^{F1}and personal property]][^{F1}Enforcement:
money, cryptoassets and personal property]*

[^{F1}215D Proceeds of realisation

- (1) This section applies to sums which—
 - (a) are in the hands of an appropriate officer, and
 - (b) are the proceeds of the realisation of property under section [^{F2}215ZA or] 215A.
- (2) The sums must be applied as follows—
 - (a) first, they must be applied in payment of such expenses incurred by a person acting as an insolvency practitioner as are payable under this subsection by virtue of section 432;
 - (b) second, they must be applied in making any payments directed by the magistrates' court or Crown Court;
 - (c) third, they must be paid to the appropriate chief clerk on account of the amount payable under the confiscation order.
- (3) If the amount payable under the confiscation order has been fully paid and any sums remain in the appropriate officer's hands, the appropriate officer must distribute them—
 - (a) among such persons who held (or hold) interests in the property represented by the proceeds as the magistrates' court or Crown Court directs, and
 - (b) in such proportions as it directs.

Changes to legislation: *Proceeds of Crime Act 2002, Section 215D is up to date with all changes known to be in force on or before 18 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

- (4) Before making a direction under subsection (3) the court must give persons who held (or hold) interests in the property a reasonable opportunity to make representations to it.
- (5) If the magistrates' court has made a direction under subsection (2)(b) or (3) in respect of the proceeds of realisation of any property, the Crown Court may not make a direction under either of those provisions in respect of the proceeds of realisation of that property; and vice versa.
- (6) In this section—
“appropriate officer” has the same meaning as in section 190A, and
“appropriate chief clerk” has the same meaning as in section 202(7).]

Textual Amendments

- F1** Ss. 215A-215D inserted (1.3.2016) by [Policing and Crime Act 2009 \(c. 26\)](#), **ss. 60(2)**, 116(1); [S.I. 2016/147](#), art. 3(c)
- F2** Words in s. 215D(1)(b) inserted (26.10.2023 for specified purposes) by [Economic Crime and Corporate Transparency Act 2023 \(c. 56\)](#), s. 219(2)(b)(5)(a), **Sch. 8 para. 51**

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 13(5)(a)(iia) inserted by [2015 c. 30 Sch. 5 para. 15\(3\)\(d\)](#)
- s. 323(1)(hc) inserted by [2023 c. 20 Sch. para. 45\(2\)](#)
- s. 323(4)(ec) inserted by [2023 c. 20 Sch. para. 45\(3\)](#)
- s. 323(5)(ec) inserted by [2023 c. 20 Sch. para. 45\(4\)](#)