



# Proceeds of Crime Act 2002

## 2002 CHAPTER 29

### PART 5

#### CIVIL RECOVERY OF THE PROCEEDS ETC. OF UNLAWFUL CONDUCT

### CHAPTER 3

#### RECOVERY OF CASH IN SUMMARY PROCEEDINGS

#### *Forfeiture*

#### **[<sup>F1</sup>299 Appeal against decision under section 298**

- (1) Any party to proceedings for an order for the forfeiture of cash under section 298 who is aggrieved by an order under that section or by the decision of the court not to make such an order may appeal—
  - (a) in relation to England and Wales, to the Crown Court;
  - (b) in relation to Scotland, to the Sheriff Principal;
  - (c) in relation to Northern Ireland, to a county court.
- (2) An appeal under subsection (1) must be made before the end of the period of 30 days starting with the day on which the court makes the order or decision.
- (3) The court hearing the appeal may make any order it thinks appropriate.
- (4) If the court upholds an appeal against an order forfeiting the cash, it may [<sup>F2</sup>order the release of the whole or any part of the cash] .]

#### **Textual Amendments**

**F1** S. 299 substituted (1.7.2005) by [Serious Organised Crime and Police Act 2005 \(c. 15\), ss. 101\(1\), 178\(7\)\(a\)](#) (with s. 101(2)); [S.I. 2005/1521, art. 2\(1\)\(d\)](#) (with art. 2(2))

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**Changes to legislation:** *Proceeds of Crime Act 2002, Section 299 is up to date with all changes known to be in force on or before 16 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*

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**F2** Words in s. 299(4) substituted (1.6.2015) by [Policing and Crime Act 2009 \(c. 26\), ss. 65\(3\), 116\(1\); S.I. 2015/983, art. 2\(2\)\(c\)](#)

**Modifications etc. (not altering text)**

- C1** Pt. 5 Ch. 3 applied by 2007 c. 30, s. 24(1) (as substituted (27.4.2017 for specified purposes, 31.1.2018 for E.W.S. in so far as not already in force) by [Criminal Finances Act 2017 \(c. 22\), ss. 21\(3\), 58\(1\)\(6\); S.I. 2018/78, reg. 3\(f\)](#))
- C2** Pt. 5 Ch. 3 applied (27.4.2017 for specified purposes, 31.1.2018 for E.W.S. in so far as not already in force, 28.6.2021 for N.I. in so far as not already in force) by 2007 c. 30, s. 24(1) (as substituted by [Criminal Finances Act 2017 \(c. 22\), ss. 21\(3\), 58\(1\)\(6\); S.I. 2018/78, reg. 3\(f\); S.I. 2021/724, reg. 2\(1\)\(i\)](#))

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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\(4\)](#)