



# Serious Organised Crime and Police Act 2005

## 2005 CHAPTER 15

### PART 2

#### INVESTIGATIONS, PROSECUTIONS, PROCEEDINGS AND PROCEEDS OF CRIME

### CHAPTER 6

#### PROCEEDS OF CRIME

#### **99 Civil recovery: interim receivers' expenses etc.**

- (1) The Proceeds of Crime Act 2002 (c. 29) is amended as follows.
- (2) In section 280 (civil recovery orders: applying realised proceeds), after subsection (2) insert—
  - “(3) The Director may apply a sum received by him under subsection (2) in making payment of the remuneration and expenses of—
    - (a) the trustee, or
    - (b) any interim receiver appointed in, or in anticipation of, the proceedings for the recovery order.
- (4) Subsection (3)(a) does not apply in relation to the remuneration of the trustee if the trustee is a member of the staff of the Agency.”
- (3) In section 284 (payment of interim administrator or trustee (Scotland))—
  - (a) the existing words become subsection (1), and
  - (b) after that subsection insert—
    - “(2) The Scottish Ministers may apply a sum received by them under section 280(2) in making payment of such fees or expenses.

**Changes to legislation:** Serious Organised Crime and Police Act 2005, Section 99 is up to date with all changes known to be in force on or before 23 January 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

(3) Subsection (2) does not apply in relation to the fees of a trustee for civil recovery if the trustee is a member of their staff.”

<sup>F1</sup>(4) .....

#### Textual Amendments

**F1** S. 99(4) repealed (1.4.2008) by Serious Crime Act 2007 (c. 27), s. 94(1), **Sch. 14**; S.I. 2008/755, art. 2(1)(d) (with arts. 3-14)

#### Commencement Information

**I1** S. 99(1)(4) in force at 1.7.2005 by S.I. 2005/1521, **art. 3(1)(b)**

**I2** S. 99(2)(3) in force at 1.7.2005 by S.I. 2005/1521, **art. 2(1)(b)**

**Changes to legislation:**

Serious Organised Crime and Police Act 2005, Section 99 is up to date with all changes known to be in force on or before 23 January 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.

[View outstanding changes](#)

**Commencement Orders yet to be applied to the Serious Organised Crime and Police Act 2005**

Commencement Orders bringing provisions within this Act into force:

- [S.I. 2006/2182 art. 3](#) amendment to earlier commencing SI 2006/1871