
STATUTORY INSTRUMENTS

2010 No. 60

The Criminal Procedure Rules 2010

PART 6

INVESTIGATION ORDERS

SECTION 4: ORDERS UNDER THE PROCEEDS OF CRIME ACT 2002

Application for an order under the Proceeds of Crime Act 2002

6.14.—(1) This rule applies where an applicant wants the court to make one of the orders listed in rule 6.1(2).

(2) The applicant must—

- (a) apply in writing;
- (b) serve the application on—
 - (i) the court officer, and
 - (ii) the respondent (unless the court otherwise directs);
- (c) identify—
 - (i) the respondent, and
 - (ii) the person the subject of the confiscation or money laundering investigation;
- (d) explain why the applicant thinks the person under investigation has—
 - (i) benefited from criminal conduct, in the case of a confiscation investigation, or
 - (ii) committed a money laundering offence, in the case of a money laundering investigation;
- (e) give the additional information required by whichever of rules 6.15 to 6.19 applies; and
- (f) serve any order made on each respondent.

[Note. Under rules 6.3 and 6.4, the court may—

- (a) exercise its powers in a respondent's absence; and*
- (b) dispense with a requirement for service.*

Under rule 6.21, an applicant may withhold information from material that is served on a respondent.

See also the code of practice for those exercising functions as officers and investigators issued under section 377 of the 2002 Act(1), and the code of practice for prosecutors and others issued under section 377A of that Act(2).]

(1) 2002 c. 29; section 377 was amended by section 74 of, and paragraphs 103 and 114 of Schedule 8 to, the Serious Crime Act 2007 (c. 27).

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(2) [2002 c. 29](#); section 377A was inserted by section 74 of, and paragraphs 103 and 115 of Schedule 8 to, the Serious Crime Act 2007 (c. 27).