
STATUTORY INSTRUMENTS

2020 No. 759

The Criminal Procedure Rules 2020

PART 33

CONFISCATION AND RELATED PROCEEDINGS

RECEIVERSHIP PROCEEDINGS

Sums in the hands of receivers

33.59.—(1) This rule applies where the amount payable under a confiscation order has been fully paid and any sums remain in the hands of an enforcement receiver.

(2) The receiver must make an application to the Crown Court for directions as to the distribution of the sums in his hands.

(3) The application and any evidence which the receiver intends to rely on in support of the application must be served on—

- (a) the defendant; and
- (b) any other person who held (or holds) interests in any property realised by the receiver,

at least [^{F1}5 business days] before the date fixed by the court for hearing the application, unless the Crown Court specifies a shorter period.

(4) If any of the provisions listed in paragraph (5) (provisions as to the vesting of funds in a trustee in bankruptcy) apply, then the Crown Court must make a declaration to that effect.

(5) These are the provisions—

- (a) [^{F2}section 82 of the Bankruptcy (Scotland) Act 2016];
- (b) section 306B of the Insolvency Act 1986(1); and
- (c) article 279B of the Insolvency (Northern Ireland) Order 1989(2).

Textual Amendments

- F1** Words in rule 33.59 substituted (1.4.2024) by [The Criminal Procedure \(Amendment\) Rules 2024 \(S.I. 2024/62\)](#), rules 1, **9(c)(xiv)**
- F2** Words in rule 33.59(5)(a) substituted (8.2.2021) by [The Criminal Procedure \(Amendment\) Rules 2021 \(S.I. 2021/40\)](#), rules 2, **19**

(1) 1986 c. 45; section 306B was inserted by section 456 of, and paragraphs 1 and 16 of Schedule 11 to, the Proceeds of Crime Act 2002 (c. 29).

(2) S.I. 1989/2405 (N.I. 19); article 279B was inserted by section 456 of, and paragraph 20(3) of Schedule 11 to, the Proceeds of Crime Act 2002 (c. 29).

Changes to legislation: *There are currently no known outstanding effects for the The Criminal Procedure Rules 2020, Section 33.59. (See end of Document for details)*

Commencement Information

II Rule 33.59 in force at 5.10.2020, see Preamble

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There are currently no known outstanding effects for the The Criminal Procedure Rules 2020, Section 33.59.