

PROCEEDS OF CRIME ACT 2002

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 2: Confiscation: England and Wales

Application of sums

Section 57: Sums received by Director

110. *Section 57* is the equivalent, where enforcement by the Director is concerned, of *section 55* in relation to sums received by justices' chief executives. The provision is broadly similar to *section 55*, but there are two significant differences. Firstly, *subsection (4)* requires the Director to reimburse the expenses of any management or enforcement receiver appointed in the case, but *subsection (6)* makes it clear that this does not apply where the receiver is a member of the Director's own staff or providing services under arrangements made by the Director. These costs will be met out of the Director's budget.
111. Secondly, the Director must pay the residue of any monies received directly into the Consolidated Fund (see *paragraph 5(2) of Schedule 1*) which will also be the eventual destination of the monies when they are received by a justices' chief executive.