



# Serious Crime Act 2015

## 2015 CHAPTER 9

### PART 1

#### PROCEEDS OF CRIME

#### CHAPTER 1

#### ENGLAND AND WALES

#### *Confiscation: other amendments*

### **6 Confiscation and victim surcharge orders**

- (1) Section 13 of the Proceeds of Crime Act 2002 (effect of order on court's other powers) is amended as follows.
- (2) In subsection (3), in paragraph (a), for the words from “an order under section 130” to the end substitute “a priority order”.
- (3) After subsection (3) insert—
  - “(3A) In this section “priority order” means any of the following—
    - (a) a compensation order under section 130 of the Sentencing Act;
    - (b) an order requiring payment of a surcharge under section 161A of the Criminal Justice Act 2003;
    - (c) an unlawful profit order under section 4 of the Prevention of Social Housing Fraud Act 2013.”
- (4) For subsection (5) substitute—
  - “(5) Subsection (6) applies if—
    - (a) the Crown Court makes both a confiscation order and one or more priority orders against the same person in the same proceedings, and

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*Changes to legislation: There are currently no known outstanding effects for the Serious Crime Act 2015, Section 6. (See end of Document for details)*

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- (b) the court believes the person will not have sufficient means to satisfy all those orders in full.”
- (5) In subsection (6), for “compensation or amount payable under the unlawful profit order (or both)” substitute “ amount payable under the priority order (or orders) ”.

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**Commencement Information**

**II** S. 6 in force at 1.6.2015 by [S.I. 2015/820](#), reg. 3(c)

**Changes to legislation:**

There are currently no known outstanding effects for the Serious Crime Act 2015, Section 6.