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STATUTORY INSTRUMENTS

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**2013 No. 2604**

**The Proceeds of Crime Act 2002 (External Requests and Orders) (Amendment) Order 2013**

**Limitation**

- 4.—(1) The Limitation Act 1980(1) is amended as follows.  
(2) After section 27A there is inserted—

**“27AB Actions to prohibit dealing with property subject to an external request**

- (1) None of the time limits given in the preceding provisions of this Act applies to any proceedings under Part 4A of the Proceeds of Crime Act 2002 (External Requests and Orders) Order 2005(2) (giving effect to external request by means of civil proceedings).
- (2) Proceedings under that Part for a prohibition order in respect of relevant property shall not be brought after the expiration of the period of 20 years from the date on which the relevant person’s cause of action accrued.
- (3) Proceedings under that Part are brought when an application is made for a prohibition order.
- (4) The relevant person’s cause of action accrues in respect of relevant property when the property is obtained (or when it is believed to have been obtained) as a result of or in connection with criminal conduct.
- (5) In this section—
- (a) “criminal conduct” is to be construed in accordance with section 447(8) of the Act,
  - (b) expressions used in this section and Part 4A of the Proceeds of Crime Act 2002 (External Requests and Orders) Order 2005 have the same meaning in this section as in that Part.
- (6) In this section “relevant person” means—
- (a) the National Crime Agency,
  - (b) the Director of Public Prosecutions,
  - (c) the Director of Revenue and Customs Prosecutions, or
  - (d) the Director of the Serious Fraud Office.”
- (3) In section 27B, after subsection (3), there is inserted—

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(1) 1980 c. 58. Section 27A was inserted by section 288 of the Proceeds of Crime Act 2002 (c. 29) and was amended by section 109 of and paragraph 2(a) and (b) of Schedule 6 to the Serious Organised Crime and Police Act 2005 (c. 15), and by section 74(2) (g) of and paragraph 147(1) to (4) of Part 7 of Schedule 8 to the Serious Crime Act 2007 (c. 27) and by section 62(1)(a) of the Policing and Crime Act 2009 (c. 26). Section 27B was inserted by article 201 of the Proceeds of Crime Act 2002 (External Requests and Orders) Order 2005 (S.I. 2005/3181) and was amended by article 4(1) to (3) of the Proceeds of Crime Act 2002 (External Requests and Orders) (Amendment) Order 2008 (S.I. 2008/302) and by section 62(1)(a) of the Policing and Crime Act 2009 (c. 26).

(2) S.I. 2005/3181.

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

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“(3A) If, before an event mentioned in subsection (3) occurs, an application is made for a prohibition order under Part 4A of the Order, the proceedings under Chapter 2 of Part 5 of the Order are to be treated as having been brought when that application is made.”.