



House of Commons

PUBLIC BILL COMMITTEE

POLICE, CRIME, SENTENCING AND COURTS BILL

Victoria Atkins
Chris Philp

1

Clause 163, page 180, line 23, at end insert—

“(A1) The Rehabilitation of Offenders Act 1974, as it forms part of the law of England and Wales, is amended as follows.”

Member’s explanatory statement

This amendment is consequential on amendment 10.

Victoria Atkins
Chris Philp

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Clause 163, page 180, line 24, leave out “of the Rehabilitation of Offenders Act 1974”

Member’s explanatory statement

This amendment is consequential on amendment 10.

Victoria Atkins
Chris Philp

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Clause 163, page 180, line 25, leave out from “sentences)” to “is”

Member’s explanatory statement

This amendment is consequential on amendment 10.

Victoria Atkins
Chris Philp

4

Clause 163, page 181, line 27, at end insert—

“(3A) In subsection (2) (rehabilitation periods), in the words before paragraph (a), for “(3) and” substitute “(2A) to”.”

Member’s explanatory statement

This amendment and amendments 5 to 7 make provision about the rehabilitation period that applies to a person who is subject to a relevant order where the last day on which the order is to have effect is not provided for by or under the order.

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Victoria Atkins
Chris Philp

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Clause 163, page 182, line 8, at end insert—

“(4A) After subsection (2) (and after the table in subsection (2)(b)) insert—

“(2A) Subsection (2B) applies where provision is made by or under a relevant order for the order to have effect—

- (a) until further order,
- (b) until the occurrence of a specified event, or
- (c) otherwise for an indefinite period.

(2B) The rehabilitation period for the order is the period—

- (a) beginning with the date of the conviction in respect of which the order is imposed, and
- (b) ending when the order ceases to have effect.”

Member’s explanatory statement

See the explanatory statement for amendment 4.

Victoria Atkins
Chris Philp

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Clause 163, page 182, line 9, leave out subsection (5) and insert—

“(5) For subsection (3) (rehabilitation period for community etc order which does not provide for the last day on which the order has effect) substitute—

“(3) The rehabilitation period for a relevant order which is not otherwise dealt with in the Table or under subsections (2A) and (2B) is the period of 24 months beginning with the date of conviction.”

Member’s explanatory statement

See the explanatory statement for amendment 4.

Victoria Atkins
Chris Philp

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Clause 163, page 182, line 11, at end insert—

“(5A) In subsection (4)(b) (rehabilitation period for other sentences), for “subsection (3)” substitute “any of subsections (2A) to (3).”

Member’s explanatory statement

See the explanatory statement for amendment 4.

Victoria Atkins
Chris Philp

8

Clause 163, page 182, line 29, after “order” insert “—(a)”

Member’s explanatory statement

This amendment and amendment 9 make provision about the rehabilitation period that applies to a person who is subject to an order which imposes requirements or restrictions on the person or is otherwise intended to regulate the person’s behaviour.

Public Bill Committee:

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Victoria Atkins
Chris Philp

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- Clause 163, page 182, line 31, at end insert “, and
(b) for paragraph (g) substitute—
“(g) any order which—
(i) imposes a disqualification, disability, prohibition,
penalty, requirement or restriction, or
(ii) is otherwise intended to regulate the behaviour of
the person convicted,
and is not otherwise dealt with in the Table.”.”

Member’s explanatory statement

See the explanatory statement for amendment 8.

Victoria Atkins
Chris Philp

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- Clause 163, page 182, line 31, at end insert—
“(8A) In section 6(5) (the rehabilitation period applicable to a conviction), for the words from “by virtue of” to “or other penalty” substitute “to an order within paragraph (g) of the definition of “relevant order” in section 5(8) above”.
(8B) In section 7(1)(d) (limitations on rehabilitation under the Act), for “or other penalty” substitute “, penalty, requirement, restriction or other regulation of the person’s behaviour”.
(8C) In paragraph 5(b) of Schedule 2 (protection for spent cautions), after “prohibition” insert “, requirement”.”

Member’s explanatory statement

This amendment makes amendments to the Rehabilitation of Offenders Act 1974 that are consequential on or otherwise related to the amendments to that Act made by amendment 9.

Victoria Atkins
Chris Philp

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- Clause 175, page 193, line 21, at end insert—
“(ea) section (*Proceeds of crime: account freezing orders*).”

Member’s explanatory statement

This amendment provides for the new clause inserted by amendment 12 to commence two months after Royal Assent.

Victoria Atkins
Chris Philp

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To move the following Clause—

“Proceeds of crime: account freezing orders

- (1) In section 303Z1 of the Proceeds of Crime Act 2002 (application for account freezing order)—
(a) omit subsections (5A) and (5B), and

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- (b) in subsection (6), at the appropriate place insert—
 - ““relevant financial institution” means—
 - (a) a bank,
 - (b) a building society,
 - (c) an electronic money institution, or
 - (d) a payment institution.”
- (2) In section 316(1) of that Act (general interpretation), in the definition of “relevant financial institution”, after “303Z1” insert “(6)”.
- (3) In section 48 of the Financial Services Act 2021 (extent)—
 - (a) in subsection (1), for “subsections (2) and (3)” substitute “subsection (2)”, and
 - (b) omit subsection (3).
- (4) In paragraph 14 of Schedule 12 to that Act (forfeiture of money: electronic money institutions and payment institutions) omit sub-paragraphs (3) and (4).”

Member’s explanatory statement

This new clause amends for Northern Ireland the definition of “relevant financial institution” for the purposes of account freezing orders under the Proceeds of Crime Act 2002 so as to align the definition with that which applies in England and Wales and Scotland.