
Report Stage: Wednesday 25 January 2023

Economic Crime and Corporate Transparency Bill, As Amended

(Amendment Paper)

This document lists all amendments tabled to the Economic Crime and Corporate Transparency Bill. Any withdrawn amendments are listed at the end of the document. The amendments are arranged in the order in which it is expected they will be decided.

This document should be read alongside the Speaker's provisional selection and grouping, which sets out the order in which the amendments will be debated.

NEW CLAUSES AND NEW SCHEDULES RELATING TO PARTS 4, 5 AND 6; AMENDMENTS TO PARTS 4, 5 AND 6; ANY OTHER NEW CLAUSES AND NEW SCHEDULES; REMAINING PROCEEDINGS ON CONSIDERATION

NEW CLAUSES AND NEW SCHEDULES RELATING TO PARTS 4, 5 AND 6

Secretary Suella Braverman

NC14

To move the following Clause—

“Approved regulators: information powers relating to economic crime

- (1) The Legal Services Act 2007 is amended as follows.
- (2) After section 111 insert—

“PART 5A: APPROVED REGULATORS: INFORMATION POWERS

The Law Society's information powers relating to economic crime

111A The Law Society's information powers relating to economic crime

- (1) The Law Society may, by notice, require a person falling within subsection (3) to—
 - (a) provide information, or information of a description, specified in the notice;
 - (b) produce documents, or documents of a description, specified in the notice.
- (2) The Law Society may only exercise the power in subsection (1) in relation to information or documents which the Law Society considers it necessary or expedient to have for the purposes of, or in connection

with, the performance of its regulatory functions for purposes relating to the prevention or detection of economic crime.

- (3) The persons are—
 - (a) a solicitor;
 - (b) an employee of a solicitor;
 - (c) a body recognised under section 9 of the Administration of Justice Act 1985;
 - (d) an employee or manager of, or person with an interest in, such a body;
 - (e) a licensed body;
 - (f) a manager or employee of a licensed body;
 - (g) a non-authorised person who has an interest or an indirect interest, or holds a material interest (within the meaning of Part 5 of this Act), in a licensed body;
 - (h) a person who was, but is no longer, of a description mentioned within any of paragraphs (a) to (g).
- (4) A notice under subsection (1)—
 - (a) may specify the manner and form in which the information is to be provided or document produced;
 - (b) must specify the period within which the information is to be provided or document produced;
 - (c) may require the information to be provided, or document to be produced, to the Law Society or to a person specified in the notice.
- (5) The Law Society may pay to any person such reasonable costs as may be incurred by that person in connection with the provision of any information, or production of any document, by that person pursuant to a notice under subsection (1).
- (6) The Law Society, or a person specified under subsection (4)(c) in a notice, may take copies of or extracts from a document produced pursuant to a notice under subsection (1).
- (7) In this section “economic crime” has the meaning given by section 179(1) of the Economic Crime and Corporate Transparency Act 2023.

111B Enforcement of information powers relating to economic crime

- (1) If a person refuses or otherwise fails to comply with a notice under section 111A(1), the Law Society may apply to the High Court for an order requiring the person to comply with the notice or with such directions for the like purpose as may be contained in the order.
- (2) On an application under subsection (1), the High Court may order a person other than the person to whom the notice was given to provide information or produce documents specified in the notice, if the High Court is satisfied that there is reason to suspect that the

information or documents have come into the possession or custody or under the control of that other person.

- (3) Section 111A(4) applies in relation to an order under subsection (2) as it applies in relation to a notice under section 111A(1).
- (4) An order under this section may direct the Law Society to pay such reasonable costs as may be incurred by a person in connection with the provision of any information, or production of any document, by that person pursuant to the order.
- (5) A person may take copies of or extracts from a document produced to them pursuant to an order under this section.

111C Provision of information relating to economic crime by other persons

- (1) The Law Society may apply to the High Court for an order requiring a person who does not fall within section 111A(3) to—
 - (a) provide information, or information of a description, specified in the order, or
 - (b) produce documents, or documents of a description, specified in the order.
- (2) The High Court may make an order under this section only if it is satisfied—
 - (a) that it is likely that the information or document is in the possession or custody of, or under the control of, the person, and
 - (b) that it is necessary or expedient for the Law Society to have the information or document for the purposes of, or in connection with, the performance of its regulatory functions for purposes relating to the prevention or detection of economic crime.
- (3) Section 111A(4) applies in relation to an order under this section as it applies in relation to a notice under section 111A(1).
- (4) An order under this section may direct the Law Society to pay such reasonable costs as may be incurred by a person in connection with the provision of any information, or production of any document, by that person pursuant to the order.
- (5) A person may take copies of or extracts from a document produced to them pursuant to an order under this section.
- (6) In this section “economic crime” has the meaning given by section 179(1) of the Economic Crime and Corporate Transparency Act 2023.

Other approved regulators: information powers relating to economic crime

111D Order to confer information powers on other approved regulators

- (1) The Lord Chancellor may by order amend this Part so as to—
 - (a) provide for sections 111A to 111C to apply in relation to an approved regulator other than the Law Society as they apply in relation to the Law Society, and
 - (b) specify the persons to whom notices under section 111A(1) may be given by that approved regulator.

- (2) The Lord Chancellor may make an order under this section in relation to an approved regulator only if—
 - (a) the Board has made a recommendation in accordance with section 111E in relation to that approved regulator, and
 - (b) the persons specified in the order to whom notices under section 111A(1) may be given by that approved regulator are the same as those persons specified in the recommendation.

111E The Board's power to recommend orders under section 111D

- (1) The Board may recommend to the Lord Chancellor that the Lord Chancellor make an order under section 111D in relation to an approved regulator.
 - (2) A recommendation must specify the persons to whom the approved regulator should be able to give notices under section 111A(1).
 - (3) A recommendation may only be made with the consent of the approved regulator.
 - (4) Before making a recommendation under this section, the Board must publish a draft of the proposed recommendation.
 - (5) The draft must be accompanied by a notice which states that representations about the proposed recommendation may be made to the Board within a specified period.
 - (6) Before making the recommendation, the Board must have regard to any representations duly made."
- (3) In section 206 (parliamentary control of orders and regulations), in subsection (4), after paragraph (n) insert—
- "(na) section 111D (order to confer information powers on other approved regulators);"."

Member's explanatory statement

This new clause would allow the Law Society and any other approved regulators specified by the Lord Chancellor to obtain information or documents for exercising their regulatory functions for purposes relating to the prevention and detection of economic crime.

Liam Byrne
Mr David Davis
Alison Thewliss
Dame Margaret Hodge
Simon Fell
Peter Dowd
Dame Diana Johnson
Sir Peter Bottomley
Caroline Lucas
Stella Creasy
Mary Robinson
Claire Hanna

Sir Robert Buckland
Mr Barry Sheerman
Clive Efford
Ms Marie Rimmer
Sir Stephen Timms
Liz Saville Roberts

Maria Eagle
Mr Ben Bradshaw
Ms Harriet Harman
Dr Rupa Huq
Margaret Beckett
Layla Moran

NC1

To move the following Clause—

“Disclosure of information in the public interest likely to be relevant to the investigation of economic crime

- (1) It is a defence to an action based on the disclosure or publication of information for the defendant to show that—
 - (a) the disclosure or publication complained of was likely to be relevant to the investigation of an economic crime, and
 - (b) the defendant reasonably believed that the disclosure or publication complained of was likely to be relevant to the investigation of an economic crime.
- (2) Subject to subsection (3), in determining whether the defendant has shown the matters mentioned in subsection (1), the court must have regard to all the circumstances of the case.
- (3) In determining whether it was reasonable for the defendant to believe that the disclosure or publication complained of was likely to be relevant to the investigation of an economic crime, the court must make such allowance for editorial judgement as it considers appropriate.
- (4) For the avoidance of doubt, the defence under this section may be relied upon irrespective of whether the statement complained of is a statement of fact or a statement of opinion.”

Liam Byrne
Mr David Davis
Alison Thewliss
Dame Margaret Hodge
Simon Fell
Peter Dowd
Dame Diana Johnson
Sir Peter Bottomley
Caroline Lucas
Stella Creasy
Mary Robinson
Claire Hanna

Sir Robert Buckland
Mr Barry Sheerman
Clive Efford
Ms Marie Rimmer
Sir Stephen Timms
Liz Saville Roberts

Maria Eagle
Mr Ben Bradshaw
Ms Harriet Harman
Dr Rupa Huq
Margaret Beckett
Layla Moran

NC2

To move the following Clause—

“Economic crime: power to strike out statement of case for abuse of process

The court may strike out the whole or part of any statement of case which can be reasonably understood as having the purpose of concealing, or preventing disclosure or publication of, any information likely to be relevant to the investigation of an economic crime.”

Layla Moran
Alison Thewliss
Peter Dowd
Dame Margaret Hodge
Mr Ben Bradshaw
Sir Stephen Timms

NC3

To move the following Clause—

“Home Office review of the Tier 1 (Investor) visa scheme: publication

Within a day of the passage of this Act, the Secretary of State must publish in full the findings of the Home Office review of the Tier 1 (Investor) visa scheme which relate to economic crime.”

Sir Robert Buckland
 Sir Robert Neill
 Alison Thewliss
 Dame Margaret Hodge
 Maria Eagle
 Nigel Mills
 Liam Byrne
 Stephen Kinnock
 Ms Harriet Harman
 Dr Rupa Huq
 Kim Leadbeater
 Mr John Baron
 Margaret Beckett
 Layla Moran

Peter Dowd
 Sir Peter Bottomley
 Mr Ben Bradshaw
 Caroline Lucas
 John Penrose
 Stella Creasy
 Mary Robinson
 Sir Julian Lewis
 Mr Jonathan Djanogly
 Claire Hanna

Simon Fell
 Mr Barry Sheerman
 Dame Diana Johnson
 Seema Malhotra
 Clive Efford
 Ms Marie Rimmer
 Sir Chris Bryant
 Dame Meg Hillier
 Sir Stephen Timms
 Liz Saville Roberts

NC4

To move the following Clause—

“Offence of failure to prevent fraud, false accounting or money laundering

- (1) A relevant commercial organisation (“C”) is guilty of an offence under this section where—
 - (a) a person (“A”) associated with C commits a fraud, false accounting or an act of money laundering, or aids and abets a fraud, false accounting or act of money laundering, intending—
 - (i) to confer a business advantage on C, or
 - (ii) to confer a benefit on a person to whom A provides services on behalf of C, and
 - (b) fails to prevent the activity set out in paragraph (a).
- (2) C does not commit an offence where C can prove that the conduct detailed in subsection (1)(a) was intended to cause harm to C.
- (3) It is a defence for C to prove that, at the relevant time, C had in place procedures that were reasonable in all the circumstances and which were designed to prevent persons associated with C from undertaking the conduct detailed in subsection (1)(a).
- (4) For the purposes of this section “relevant commercial organisation” means—
 - (a) for the offence as it relates to false accounting and fraud, “relevant commercial organisations” are defined as—
 - (i) a body which is incorporated under the law of any part of the United Kingdom and which carries on a business (whether there or elsewhere),
 - (ii) any other body corporate (wherever incorporated) which carries on a business, or part of a business, in any part of the United Kingdom,
 - (iii) a partnership which is formed under the law of any part of the United Kingdom and which carries on a business (whether there or elsewhere), or
 - (iv) any other partnership (wherever formed) which carries on a business, or part of a business, in any part of the United Kingdom, and
 - (v) for the purposes of this section, a trade or profession is a business;

- (b) for the offence as it relates to money laundering, “relevant commercial organisations” are defined as—
- (i) credit institutions;
 - (ii) financial institutions;
 - (iii) auditors, insolvency practitioners, external accountants and tax advisers;
 - (iv) independent legal professionals;
 - (v) trust or company service providers;
 - (vi) estate agents and letting agents;
 - (vii) high value dealers;
 - (viii) casinos;
 - (ix) art market participants;
 - (x) cryptoasset exchange providers;
 - (xi) custodian wallet providers.”

Member’s explanatory statement

This new clause introduces a new criminal corporate offence for failure to prevent fraud, false accounting and money laundering, by aligning it with other corporate criminal offences.

Sir Robert Buckland
 Sir Robert Neill
 Alison Thewliss
 Dame Margaret Hodge
 Peter Dowd
 Simon Fell
 Maria Eagle
 Nigel Mills
 Liam Byrne
 Clive Efford
 Ms Marie Rimmer
 Sir Chris Bryant
 Dame Meg Hillier
 Sir Stephen Timms

Sir Peter Bottomley
 Mr Ben Bradshaw
 Seema Malhotra
 Ms Harriet Harman
 Dr Rupa Huq
 Kim Leadbeater
 Mr John Baron
 Margaret Beckett

Mr Barry Sheerman
 Dame Diana Johnson
 Stephen Kinnock
 Stella Creasy
 Mary Robinson
 Sir Julian Lewis
 Mr Jonathan Djanogly
 Layla Moran

NC5

To move the following Clause—

“Identification doctrine

- (1) A body corporate commits an offence of fraud, money laundering, false accounting, bribery and tax evasion where the offence is committed with the consent, connivance or neglect of a senior manager.
- (2) An individual is a “senior manager” of an entity if the individual—
 - (a) plays a significant role in—
 - (i) the making of decisions about how the entity’s relevant activities are to be managed or organised, or
 - (ii) the managing or organising of the entity’s relevant activities, or
 - (b) is the Chief Executive or Chief Financial Officer of the body corporate.

- (3) A body corporate also commits an offence if, acting within the scope of their authority—
- (a) one or more senior managers engage in conduct, whether by act or omission, such that, if it had been the conduct of only one representative, that representative would have been a party to the offence; and
 - (b) the senior manager who is responsible for the aspect of the organization's activities that is relevant to the offence — or the senior managers collectively — fail to take all reasonable steps to prevent that offence being committed."

Member's explanatory statement

This new clause reforms the "identification doctrine", so that a body corporate commits an economic crime offence where the offence is committed with the consent, connivance or neglect of a senior manager or senior managers.

Sir Robert Buckland
 Sir Robert Neill
 Alison Thewliss
 Dame Margaret Hodge
 Peter Dowd
 Dame Diana Johnson
 Simon Fell
 Mr Barry Sheerman
 Liam Byrne
 Stephen Kinnock
 Stella Creasy
 Mary Robinson
 Sir Julian Lewis
 Mr Jonathan Djanogly
 Claire Hanna

Maria Eagle
 Nigel Mills
 Caroline Lucas
 Clive Efford
 Ms Marie Rimmer
 Sir Chris Bryant
 Dame Meg Hillier
 Sir Stephen Timms
 Liz Saville Roberts

Sir Peter Bottomley
 Mr Ben Bradshaw
 Seema Malhotra
 Ms Harriet Harman
 Dr Rupa Huq
 Kim Leadbeater
 Mr John Baron
 Margaret Beckett
 Layla Moran

NC6

To move the following Clause—

"Failure to prevent fraud, false accounting or money laundering: individual liability

- (1) A person ("S") commits an offence if—
- (a) at a time when S is a senior manager or corporate officer of a corporate body ("C"), S—
 - (i) takes, or agrees to the taking of, a decision by or on behalf of the corporate body as to the way in which the business of the corporate body is conducted, and
 - (ii) fails to take any steps that S could take to prevent such a decision being taken;
 - (b) at the time of the decision, S is aware of a risk that the implementation of the decision may lead to the commission of an offence of money laundering, fraud, false accounting, bribery or tax evasion; and
 - (c) the implementation of the decision causes C to commit such an offence.

- (2) For the purposes of this section—
- (a) an individual is a “senior manager” of a corporate body if the individual plays a significant role in—
 - (i) the making of decisions about how the entity’s relevant activities are to be managed or organised, or
 - (ii) the actual managing or organising of the entity’s relevant activities;
 - (b) “officer”, in relation to a body corporate, means—
 - (i) a director, manager, associate, secretary or other similar officer, or
 - (ii) a person purporting to act in any such capacity;
 - (c) in paragraph (b)(i) “director”, in relation to a body corporate whose affairs are managed by its members, means a member of the body corporate.
- (3) A person guilty of an offence under this section is liable—
- (a) on summary conviction—
 - (i) in England and Wales, to imprisonment for a term not exceeding 12 months (or 6 months, if the offence was committed before the commencement of section 154(1) of the Criminal Justice Act 2003) or a fine, or both;
 - (ii) in Scotland, to imprisonment for a term not exceeding 12 months or a fine not exceeding the statutory maximum, or both;
 - (iii) in Northern Ireland, to imprisonment for a term not exceeding 6 months or a fine not exceeding the statutory maximum, or both;
 - (b) on conviction on indictment, to imprisonment for a term not exceeding 7 years or a fine, or both.”

Member’s explanatory statement

This new clause introduces direct criminal liability for corporate officers who take a decision, or fail to take a decision, that knowingly results in an offence being committed.

Mary Robinson

NC7

Dame Margaret Hodge

Simon Fell

Alison Thewliss

Sir Robert Buckland

Maria Eagle

Sir Peter Bottomley

Mr Ben Bradshaw

Dame Diana Johnson

John Penrose

Ms Marie Rimmer

Margaret Beckett

Layla Moran

Mr Barry Sheerman

Philip Davies

Liam Byrne

Ms Harriet Harman

Dr Rupa Huq

Claire Hanna

Mr Jonathan Djanogly

Peter Dowd

Caroline Lucas

Stella Creasy

Sir Stephen Timms

Liz Saville Roberts

To move the following Clause—

“Whistleblowing: economic crime

- (1) Whistleblowing is defined for the purposes of this section as any disclosure of information suggesting that, in the reasonable opinion of the whistleblower, an economic crime—
 - (a) has occurred,
 - (b) is occurring, or
 - (c) is likely to occur.
- (2) The Secretary of State must, within twelve months of the date of Royal Assent to this Act, set up an office to receive reports of whistleblowing as defined in subsection (1) to be known as the Office for Whistleblowers.
- (3) The Office for Whistleblowers must—
 - (a) protect whistleblowers from detriment resulting from their whistleblowing,
 - (b) ensure that disclosures by whistleblowers are investigated, and
 - (c) escalate information and evidence of wrongdoing outside of its remit to another appropriate authority.
- (4) The objectives of the Office for Whistleblowers are—
 - (a) to encourage and support whistleblowers to make whistleblowing reports,
 - (b) to provide an independent, confidential and safe environment for making and receiving whistleblowing information,
 - (c) to provide information and advice on whistleblowing, and
 - (d) to act on evidence of detriment to the whistleblower in line with guidance set out by the Secretary of State in regulations.
- (5) The Office for Whistleblowers must report annually to Parliament on the exercise of its duties, objectives and functions.”

Dame Margaret Hodge
 Simon Fell
 Alison Thewliss
 Sir Robert Buckland
 Maria Eagle
 Sir Peter Bottomley
 Mr Barry Sheerman
 Peter Dowd
 Clive Efford
 Ms Marie Rimmer
 Sir Chris Bryant
 Sir Julian Lewis
 Sir Stephen Timms
 Layla Moran

Nigel Mills
 Dame Diana Johnson
 Ms Harriet Harman
 Dr Rupa Huq
 Kim Leadbeater
 Dame Meg Hillier
 Margaret Beckett

Mr Ben Bradshaw
 Caroline Lucas
 Stella Creasy
 Mary Robinson
 Mrs Emma Lewell-Buck
 Mr John Baron
 Liz Saville Roberts

NC21

To move the following Clause—

“Civil recovery: costs of proceedings

After section 313 of the Proceeds of Crime Act 2002 insert—

“313A Costs orders

- (1) This section applies to proceedings brought by an enforcement authority under part 5 of the Proceeds of Crime Act 2002 where the property in respect of which the proceedings have been brought has been obtained through economic crime.
- (2) The court may not make an order that any costs of proceedings relating to a case to which this section applies (including appeal proceedings) are payable by an enforcement authority to a respondent or a specified responsible officer in respect of the involvement of the respondent or the officer in those proceedings, unless—
 - (a) the authority acted unreasonably in making or opposing the application to which the proceedings relate, or in supporting or opposing the making of the order to which the proceedings relate, or
 - (b) the authority acted dishonestly or improperly in the course of the proceedings.”

Member’s explanatory statement

This new clause extends the cap on adverse costs introduced by the first Economic Crime Act (Transparency and Enforcement) 2022 for Unexplained Wealth Orders, to all civil recovery orders.

Mr Jonathan Djanogly			NC23
Dame Margaret Hodge			
Alison Thewliss			
Simon Fell			
Clive Efford			
Nigel Mills			
Mr Ben Bradshaw	Mr Barry Sheerman	Caroline Lucas	
Ms Harriet Harman	Stephen McPartland	Sir Chris Bryant	
Kim Leadbeater	Sir Julian Lewis	Dame Meg Hillier	
Mr John Baron	Sir Stephen Timms	Margaret Beckett	
Claire Hanna			

To move the following Clause—

“Review of measures to prevent proceeds of economic crime entering the UK economy

Within six months of the passage of this Act, the Secretary of State must lay before Parliament the report of a review of what further regulatory measures could be taken to prevent the circulation in the UK economy of the proceeds of economic crime controlled by individuals or entities subject to sanctions.”

Member’s explanatory statement

This new clause creates an obligation for the Secretary of State to report to Parliament on the merits of further regulatory measures for preventing the circulation in the economy of the proceeds of economic crime controlled by individuals or entities subject to sanctions.

Stephen McPartland			NC25
Mr Jonathan Djanogly			
Sir Stephen Timms			
Alison Thewliss			
Stella Creasy			
Dame Margaret Hodge			
Caroline Lucas	Simon Fell	Mr John Baron	
Mr Ben Bradshaw	Margaret Beckett	Claire Hanna	
Ms Harriet Harman			

To move the following Clause—

“Report into effectiveness of Act in addressing economic crime involving sanctioned individuals

- (1) The Secretary of State must, within six months of this Act being passed, lay before Parliament a report of a review into the effectiveness of the measures in this Act in addressing economic crime involving designated persons.
- (2) The report must consider the case for further legislation to make provision for the seizing of assets of a designated person where there is evidence that the designated person has been involved in economic crime.
- (3) In this section, “designated persons” has the meaning given in section 9 of the Sanctions and Anti-Money Laundering Act 2018.”

Stephen Kinnock
Seema Malhotra

NC26

To move the following Clause—

“Beneficial owners in overseas territories

- (1) The Sanctions and Anti-Money Laundering Act 2018 is amended as follows.
- (2) In section 51, after subsection (5) insert—
 - “(5A) The Secretary of State must ensure that the Order in Council under subsection (2) above comes into effect on date no later than 30 June 2023.””

Member’s explanatory statement

This new clause would amend the Sanctions and Anti-Money Laundering Act 2018 to ensure that an Order in Council requiring open registers of beneficial ownership in the British Overseas Territories comes into force no later than 30 June 2023.

Stephen Kinnock
Seema Malhotra

NC27

To move the following Clause—

“Compensation for Victims of Economic Crime—

- (1) The Secretary of State must, no later than 90 days from the date on which this Act comes into force, publish and lay before Parliament a strategy for the potential establishment of a fund for the compensation of victims of economic crime.
- (2) The strategy may include provisions on the management and disposal of any assets realised by the government, or any body with law enforcement responsibilities in relation to economic crime, under relevant UK legislation.”

Member’s explanatory statement

This new clause would require the Secretary of State to prepare and publish a strategy on the potential establishment of a fund to provide compensation to victims of economic crime.

Stephen Kinnock
Seema Malhotra

NC28

To move the following Clause—

“Ukraine Compensation Fund

- (1) The Secretary of State must, no later than 90 days from the date on which this Act comes into force, publish and lay before Parliament a strategy to facilitate the use of assets seized under the Russia (Sanctions) (EU Exit) Regulations 2019, as amended, to provide compensation to victims of Russian aggression against Ukraine.

- (2) The strategy must include up to date information on the total value of assets seized by the relevant authorities in—
 - (a) the UK;
 - (b) each of the UK Overseas Territories; and
 - (c) each of the Crown Dependencies within the terms of subsection (1).
- (3) The strategy must set out specific plans to—
 - (a) facilitate the expedited recovery of assets designated under the Russia (Sanctions) (EU Exit) Regulations 2019, as amended, by the relevant authorities; and
 - (b) support international efforts to establish mechanisms to provide compensation to victims of Russian aggression against Ukraine using assets confiscated in connection with such aggression.
- (4) For the purposes of subsection (3)(b), international efforts to establish mechanisms to provide compensation to victims of Russian aggression against Ukraine include—
 - (a) the Russian Elites, Proxies, and Oligarchs (REPO) Task Force;
 - (b) the European Commission’s Freeze and Seize Task Force;
 - (c) any relevant bilateral arrangements which may be agreed by the UK and Ukraine; and
 - (d) any other matters which the Secretary of State may see fit to include in the strategy.”

Member’s explanatory statement

This new clause would require the Secretary of State to prepare and publish a strategy to facilitate the use of confiscated Russian assets to provide compensation for victims of Russian aggression in Ukraine.

Stephen Kinnock
Seema Malhotra

NC29

To move the following Clause—

“Definition of “unlawful conduct” for the purposes of identifying proceeds of crime

- (1) The Proceeds of Crime Act 2002 is amended as follows.
- (2) In section 241 (“Unlawful conduct”), after subsection (2A) insert—
 - “(2B) Conduct which—
 - (a) poses a grave threat to international peace and security; or
 - (b) constitutes, or is connected with, the commission of a gross violation of international law, is also unlawful conduct.
- (2C) The Secretary of State may by regulations make provision about the criteria used to determine whether conduct meets the definition of—
 - (a) a grave threat to international peace and security; or

- (b) a gross violation of international law, for the purposes of subsection (2B) above.
- (2D) The regulations must make provision for the definition of unlawful conduct to include conduct which amounts to—
- (a) a crime within the jurisdiction of the International Criminal Court as set out in the Rome Statute of 1998;
 - (b) a gross violation of international law, including any violation of the rights of all states to territorial integrity and political independence under the United Nations Charter;
 - (c) conduct prohibited by the United Nations Convention against transnational Organized Crime and its related protocols;
 - (d) conduct prohibited by the United Nations Convention against Corruption;
 - (e) conduct prohibited by the OECD Anti-Bribery Convention; and
 - (f) conduct prohibited by any other international agreement to which the UK is a party.”
- (3) In section 242 (“Property obtained through unlawful conduct”), after subsection (2) insert—
- “(2A) For the purposes of this section, “unlawful conduct” includes such conduct as the Secretary of State may see fit to designate in regulations as conduct which poses a threat to international peace and security or a violation of international law.””

Member’s explanatory statement

This new clause would expand the scope of “unlawful conduct” under the Proceeds of Crime Act 2002 to include threats to international peace and security and serious violations of international law, thus making it easier to freeze and confiscate assets of individuals linked to such conduct.

Layla Moran

NC30

To move the following Clause—

“Assets of Iranian officials obtained through economic crime

Within six months of the passage of this Act, the Secretary of State must lay before Parliament the report of a review of regulatory measures to prevent the circulation in the UK economy of assets of Iranian officials which have been obtained through economic crime.”

Layla Moran

NC31

To move the following Clause—

“Fund for the purposes of tackling economic crime

In the Companies Act 2006, after Part 29 insert—

“PART 29A

ECONOMIC CRIME

993A Fund for the purposes of tackling economic crime

- (1) The Secretary of State must by regulations establish a fund for the purposes of tackling economic crime.
- (2) The regulations must specify the purposes for which the fund may be used, including funding the activities of law enforcement agencies in tackling economic crime.””

Layla Moran

NC32

To move the following Clause—

“Review of definition of cryptoassets

Within 18 months of the passage of this Act, the Secretary of State must lay before Parliament the report of a review of the adequacy of the definitions of cryptoassets contained in this Act.”

Seema Malhotra
Yvette Cooper
Jonathan Reynolds
Stephen Kinnock

NC33

To move the following Clause—

“Economic Crime Committee of Parliament

- (1) The Secretary of State must by regulations establish a body to be known as the Economic Crime Committee of Parliament (in this section referred to as “the ECC”).
- (2) The ECC will consist of nine members who are to be drawn both from the members of the House of Commons and from the members of the House of Lords.
- (3) Each member of the ECC is to be appointed by the House of Parliament from which the member is to be drawn.
- (4) The ECC will have the power to meet confidentially.
- (5) The ECC may examine or otherwise oversee any regulatory, enforcement or supervision agencies involved in work related, but not limited to—
 - (a) tax avoidance and evasion by corporations;

- (b) illicit finance;
- (c) anti-money laundering supervision;
- (d) tackling fraud;
- (e) kleptocracy and corruption; and
- (f) whistleblower protection.”

Member’s explanatory statement

This new clause would oblige the Secretary of State to establish an Economic Crime Committee of parliament to examine and oversee regulatory, enforcement and supervisory action against economic crime.

Layla Moran

NC39

To move the following Clause—

“Duty to report on economic crime resourcing and performance

- (1) The Director General of the National Crime Agency must—
 - (a) prepare a report on the resourcing and staffing of its work to counter economic crime, and its performance tackling economic crime, and
 - (b) send it to the Secretary of State as soon as practicable after this section comes into force.
- (2) The Director General must prepare and send to the Secretary of State further reports on these topics annually.
- (3) Each report must include, in particular—
 - (a) a report of the total annual budget and number of staff allocated to economic crime for each unit within the National Crime Agency,
 - (b) a report of the number of investigations, arrests, prosecutions and convictions relating to economic crime for each unit within the National Crime Agency, and
 - (c) a report of other relevant data including, but not limited to, cases per year broken down by both type and outcome; number of restraint or confiscation orders obtained; and value of assets confiscated.
- (4) Reporting under subsection (3) must provide a breakdown between domestic economic crime and international economic crime. Reporting on international economic crime under subsections (3)(b) and (3)(c) must provide a breakdown by the income classification of the countries affected.
- (5) The Director General must publish every report under this section—
 - (a) as soon as practicable after they send it to the Secretary of State, and
 - (b) in such manner as they consider appropriate.”

Member's explanatory statement

Section 6 of the Crime and Courts Act 2006 currently places a duty on the Director General of the National Crime Agency to make arrangements for publishing information about the exercise of NCA functions and other matters relating to the NCA, and publish information in accordance with those arrangements. This new clause inserts a new section that places a specific duty on the Director General to prepare an annual report on the NCA's resourcing and performance relating to economic crime. The section stipulates the minimum information that the Director General must include in the report.

Yvette Cooper
Stephen Kinnock
Seema Malhotra
Jonathan Reynolds
Emily Thornberry

NC40

To move the following Clause—

“Report into options for corporate liability for economic crime

- (1) The Secretary of State must produce a report on corporate criminal liability for economic crime offences.
- (2) The report must consider the merits of different models for corporate liability in respect of economic crime, including but not limited to—
 - (a) the respondeat superior model; and
 - (b) the failure to prevent model, insofar as it has not already been introduced by the enactment of this Act.
- (3) The report must be laid before Parliament within six months of this Act being passed.
- (4) In this section—

“the respondeat superior model” means a model for corporate criminal liability in which an entity is guilty of an offence if an employee or agent commits an economic crime offence—

- (a) in the course of their employment or agency, or
- (b) with an intent to benefit that entity;

“the failure to prevent model” means a model for corporate criminal liability in which an entity is guilty of an offence if a person associated with that entity commits an economic crime offence, intending—

- (a) to confer a business advantage on that entity, or
- (b) to confer a benefit on a person or other entity to whom the associated person provides services on behalf of the entity with which it is associated, except that the entity shall not be liable where the conduct was intended to cause harm to that entity,

unless the entity can prove that it had in place such prevention procedures as were reasonable in the circumstances, or that it was reasonable not to have any such procedures in place;

a person is “associated with” an entity if they are a person who performs services for or on behalf of that entity, including in, but not limited to, the capacity of an employee, agent or subsidiary.”

AMENDMENTS TO PARTS 4, 5 AND 6

Secretary Suella Braverman

44

Clause 171, page 152, leave out lines 20 to 29 and insert—

- “(a) a request has been made by a foreign FIU to the National Crime Agency for the provision of the information required to be given under the order,
- (b) the National Crime Agency has reasonable grounds to believe that the information would assist the foreign FIU to conduct—
 - (i) operational analysis of information that is relevant to money laundering or suspected money laundering, or
 - (ii) strategic analysis identifying trends or patterns in the conduct of money laundering, or systematic deficiencies or vulnerabilities which have been, are being or are likely to be, exploited for the purposes of money laundering,
 and that the information is likely to be of substantial value to the foreign FIU in carrying out such analysis,
- (ba) the provision of the information by the National Crime Agency to the foreign FIU would be for the purposes of the criminal intelligence function of the National Crime Agency, so far as it relates to money laundering,”

Member’s explanatory statement

This amendment modifies the conditions that have to be met before an information order can be granted by a court to provide information to the National Crime Agency in a case where a request for the information has been made by a foreign financial intelligence unit.

Secretary Suella Braverman

45

Clause 171, page 152, leave out lines 32 to 34

Member’s explanatory statement

This amendment is consequential on Amendment 44.

Secretary Suella Braverman

46

Clause 172, page 155, leave out lines 29 to 38 and insert—

- “(a) a request has been made by a foreign FIU to the National Crime Agency for the provision of the information required to be given under the order,
- (b) the National Crime Agency has reasonable grounds to believe that the information would assist the foreign FIU to conduct—
 - (i) operational analysis of information that is relevant to terrorist financing or suspected terrorist financing, or
 - (ii) strategic analysis identifying trends or patterns in the conduct of terrorist financing, or systematic deficiencies or vulnerabilities which have been, are being or are likely to be, exploited for the purposes of terrorist financing,and that the information is likely to be of substantial value to the foreign FIU in carrying out such analysis,
- (ba) the provision of the information by the National Crime Agency to the foreign FIU would be for the purposes of the criminal intelligence function of the National Crime Agency, so far as it relates to terrorist financing,”

Member’s explanatory statement

This amendment modifies the conditions that have to be met before an information order can be granted by a court to provide information to the National Crime Agency in a case where a request for the information has been made by a foreign financial intelligence unit.

Secretary Suella Braverman

47

Clause 172, page 155, leave out lines 41 to 43

Member’s explanatory statement

This amendment is consequential on Amendment 46.

Secretary Suella Braverman

48

Clause 175, page 160, line 12, leave out “1(1)(l) or” and insert “1(1)(j) to”

Member’s explanatory statement

The amendment extends the categories of business in the regulated sector in relation to which clause 175 applies, to include business in the audit, insolvency and tax sectors.

Secretary Suella Braverman 49

Clause 175, page 160, line 13, leave out “accountancy” and insert “audit, insolvency, accountancy, tax”

Member’s explanatory statement

This amendment is consequential on Amendment 48.

Secretary Suella Braverman 50
Kevin Hollinrake

Clause 188, page 169, line 4, at end insert—

“(1A) Section (*Reports on the implementation and operation of Parts 1 to 3*) comes into force at the end of the period of 2 months beginning with the day on which this Act is passed.”

Member’s explanatory statement

This amendment provides for NC15 to come into force 2 months after royal assent.

Secretary Suella Braverman 57

Clause 188, page 169, line 7, at end insert—

“(2A) The following come into force on the day on which this Act is passed—

- (a) paragraph 1 of Schedule 7 so far as it inserts section 303Z25 into the Proceeds of Crime Act 2002, and
- (b) section 167 so far as it relates to that paragraph.”

Member’s explanatory statement

This amendment provides for inserted section 303Z25 of the Proceeds of Crime Act 2002 (requirement to prepare codes of practice in relation to powers to search for cryptoasset-related items) to come into force on the day on which this Act is passed.

Secretary Suella Braverman 51
Kevin Hollinrake

Clause 188, page 169, line 8, after “subsection” insert “(1A) or”

Member’s explanatory statement

This amendment is consequential on Amendment 50.

Secretary Suella Braverman 58

Clause 188, page 169, line 8, after “(2)” insert “or (2A)”

Member’s explanatory statement

This amendment is consequential on Amendment 57.

Secretary Suella Braverman 59

Schedule 6, page 201, line 39, leave out “sheriff” and insert “relevant court”

Member’s explanatory statement

This amendment and Amendments 60 and 61 amend inserted section 131ZB of the Proceeds of Crime Act 2002 (realisation of confiscated cryptoassets) to provide that (as well as the sheriff) the High Court of Justiciary and the Sheriff Appeal Court may make an order under that section requiring confiscated cryptoassets to be realised.

Secretary Suella Braverman 60

Schedule 6, page 202, line 11, leave out “sheriff of the sheriff’s” and insert “relevant court of its”

Member’s explanatory statement

See Amendment 59.

Secretary Suella Braverman 61

Schedule 6, page 202, line 19, at end insert—

“(7) In this section “relevant court” means—

- (a) the court which makes the confiscation order, or
- (b) the sheriff court responsible for enforcing the confiscation order under section 211 of the Procedure Act as applied by section 118(1).”

Member’s explanatory statement

See Amendment 59.

Secretary Suella Braverman 62

Schedule 6, page 203, line 24, leave out “sheriff” and insert “relevant court”

Member’s explanatory statement

This amendment and Amendments 63, 64, 65 and 66 amend inserted section 131AA of the Proceeds of Crime Act 2002 (destruction of seized cryptoassets) to provide that (as well as the sheriff) the High Court of Justiciary and the Sheriff Appeal Court may make an order under that section requiring seized cryptoassets to be destroyed.

Secretary Suella Braverman 63

Schedule 6, page 203, line 41, leave out “sheriff of the sheriff’s” and insert “relevant court of its”

Member’s explanatory statement

See Amendment 62.

Secretary Suella Braverman 64

Schedule 6, page 203, line 43, leave out “sheriff’s” and insert “relevant court’s”

Member’s explanatory statement

See Amendment 62.

Secretary Suella Braverman 65

Schedule 6, page 204, line 3, leave out “sheriff” and insert “relevant court”

Member’s explanatory statement

See Amendment 62.

Secretary Suella Braverman 66

Schedule 6, page 204, line 12, at end insert—

“(8) In this section “relevant court” means—

- (a) the court which makes the confiscation order mentioned in subsection (2)(a), or
- (b) the sheriff court responsible for enforcing that confiscation order under section 211 of the Procedure Act as applied by section 118(1).”

Member’s explanatory statement

See Amendment 62.

Secretary Suella Braverman

67

Schedule 6, page 204, line 14, leave out “131ZB(3), 131A(3) or 131AA(2)” and insert “131A(3)”

Member’s explanatory statement

This amendment is consequential on Amendment 68.

Secretary Suella Braverman

68

Schedule 6, page 204, line 14, at end insert—

“(1A) After subsection (1) insert—

“(2A) If the relevant court decides not to make an order under section 131ZB(3) or 131AA(2), the prosecutor may appeal to the Court of Session.””

Member’s explanatory statement

This amendment amends section 131C of the Proceeds of Crime Act 2002 (appeals under sections 131A and 131B) to make provision for prosecutors to appeal to the Court of Session against a decision of the relevant court not to make an order under section 131ZB or 131AA of that Act.

Secretary Suella Braverman

69

Schedule 6, page 204, line 15, leave out sub-paragraph (3) and insert—

“(3) For subsection (2) substitute—

“(2) If—

- (a) a sheriff makes an order under section 131A(3), or
- (b) the relevant court makes an order under section 131ZB(3) or 131AA(2),

a person affected by the order may appeal to the Court of Session.””

Member’s explanatory statement

This amendment amends section 131C of the Proceeds of Crime Act 2002 (appeals under sections 131A and 131B) to make provision for a person affected by an order made under section 131A, 131ZB or 131AA of that Act to appeal to the Court of Session.

Secretary Suella Braverman 70

Schedule 6, page 204, line 17, at end insert—

“(4A)After subsection (7) insert—

“(8) In this section “relevant court”—

- (a) in relation to a decision or order made under section 131ZB, has the same meaning as in that section, and
- (b) in relation to a decision or order made under section 131AA, has the same meaning as in that section.””

Member’s explanatory statement

This amendment is consequential on Amendments 68 and 69.

Secretary Suella Braverman 71

Schedule 6, page 204, line 32, leave out “the sheriff” and insert “a court”

Member’s explanatory statement

This amendment is consequential on Amendment 62.

Secretary Suella Braverman 72

Schedule 7, page 218, line 25, at end insert—

- “(2) A requirement in section 303G(2), 303H(2) or 303I(2), as applied by subsection (1), to carry out a relevant action may be satisfied by the carrying out of that action before this section comes into force.
- (3) In subsection (2) “relevant action” means any of the following—
 - (a) publishing a draft code of practice;
 - (b) considering any representations made about the draft;
 - (c) modifying the draft in light of any such representations.
- (4) The requirement in section 303G(3), as applied by subsection (1), to consult the Attorney General may be satisfied by consultation carried out before this section comes into force.”

Member’s explanatory statement

This amendment amends inserted section 303Z25 of the Proceeds of Crime Act 2002 (cryptoassets: codes of practice) to provide that certain preliminary steps in relation to the making of a code of practice under that section (for example, consulting on a draft code of practice) may be carried out before that section comes into force.

Secretary Suella Braverman 73

Schedule 7, page 220, line 36, at end insert—

- “(c) by the Scottish Ministers in connection with their functions under this Part, to an authority exercising equivalent functions in a foreign country, or
- (d) by a person under section 375A or 408A (evidence overseas).”

Member’s explanatory statement

This amendment and Amendments 74, 75, 79 and 80 provide that a “request for assistance” in inserted Chapters 3C to 3F of Part 5 of the Proceeds of Crime Act 2002 (cryptoassets: civil recovery) includes a request made by the Scottish Ministers to an authority exercising equivalent functions in a foreign country or a request made under section 375A or 408A of that Act.

Secretary Suella Braverman 74

Schedule 7, page 222, line 45, at end insert—

- “(c) by the Scottish Ministers in connection with their functions under this Part, to an authority exercising equivalent functions in a foreign country, or
- (d) by a person under section 375A or 408A (evidence overseas).”

Member’s explanatory statement

See Amendment 73.

Secretary Suella Braverman 75

Schedule 7, page 227, line 17, at end insert—

- “(c) by the Scottish Ministers in connection with their functions under this Part, to an authority exercising equivalent functions in a foreign country, or
- (d) by a person under section 375A or 408A (evidence overseas).”

Member’s explanatory statement

See Amendment 73.

Secretary Suella Braverman 76

Schedule 7, page 229, line 6, leave out from “detained” to “or” in line 7 and insert “under Chapter 3C”

Member’s explanatory statement

This amendment provides that cryptoassets detained under any provision of Chapter 3C of Part 5 of the Proceeds of Crime Act 2002 (forfeiture of cryptoassets) (including under section 303Z31 of that Act) are subject to forfeiture under section 303Z41 of that Act.

Secretary Suella Braverman 77

Schedule 7, page 230, line 20, leave out from “detained” to end of line 21 and insert “under Chapter 3C”

Member’s explanatory statement

This amendment is consequential on Amendment 76.

Secretary Suella Braverman 78

Schedule 7, page 230, line 22, leave out “in pursuance of the order” and insert “under Chapter 3C”

Member’s explanatory statement

This amendment is consequential on Amendment 76.

Secretary Suella Braverman 79

Schedule 7, page 246, line 18, at end insert—

- “(c) by the Scottish Ministers in connection with their functions under this Part, to an authority exercising equivalent functions in a foreign country, or
- (d) by a person under section 375A or 408A (evidence overseas).”

Member’s explanatory statement

See Amendment 73.

Secretary Suella Braverman 80

Schedule 7, page 247, line 18, at end insert—

- “(c) by the Scottish Ministers in connection with their functions under this Part, to an authority exercising equivalent functions in a foreign country, or
- (d) by a person under section 375A or 408A (evidence overseas).”

Member’s explanatory statement

See Amendment 73.

Secretary Suella Braverman 81

Schedule 7, page 254, line 41, after "303Z30" insert ", 303Z31"

Member's explanatory statement

This amendment and Amendments 82, 83, 84, 85 and 86 provide that where cryptoassets are detained under section 303Z31 of the Proceeds of Crime Act 2002 (seizure of cryptoassets) or paragraph 10Z7AF of Schedule 1 to the Anti-terrorism, Crime and Security Act 2001 (seizure of terrorist cryptoassets) and are subject to an application for forfeiture, those cryptoassets are not "free property" for the purposes of the Proceeds of Crime Act 2002.

Secretary Suella Braverman 82

Schedule 7, page 255, line 2, after "10Z7AE" insert ", 10Z7AF"

Member's explanatory statement

See Amendment 81.

Secretary Suella Braverman 83

Schedule 7, page 255, line 26, after "303Z30" insert ", 303Z31"

Member's explanatory statement

See Amendment 81.

Secretary Suella Braverman 84

Schedule 7, page 255, line 32, after "10Z7AE" insert ", 10Z7AF"

Member's explanatory statement

See Amendment 81.

Secretary Suella Braverman 85

Schedule 7, page 256, line 8, after "303Z30" insert ", 303Z31"

Member's explanatory statement

See Amendment 81.

Secretary Suella Braverman 86

Schedule 7, page 256, line 14, after "10Z7AE" insert ", 10Z7AF"

Member's explanatory statement

See Amendment 81.

Secretary Suella Braverman

87

Schedule 7, page 258, line 12, at end insert—

“(5A)After section 311 insert—

“Chapters 3C to 3F: supplementary

311A Financial investigators

- (1) This section applies where an accredited financial investigator of a particular description—
 - (a) applies for an order under section 303Z28, 303Z32, 303Z57 or 303Z58 (further detention of cryptoassets etc),
 - (b) applies for forfeiture under section 303Z41 or 303Z60 (forfeiture of cryptoassets etc), or
 - (c) brings an appeal under, or relating to, Chapter 3E or 3F (cryptoassets etc).
- (2) Any subsequent step in the application or appeal, or any further application or appeal relating to the same matter, may be taken, made or brought by a different accredited financial investigator of the same description.””

Member’s explanatory statement

This amendment contains a consequential amendment to Part 5 of the Proceeds of Crime Act 2002. It inserts new section 311A, which includes provision about accredited financial investigators making certain applications or appeals in relation to Chapters 3C to 3F of that Part.

Secretary Suella Braverman

88

Schedule 7, page 258, line 13, after “Scottish Ministers)” insert “—

- (a) in paragraph (c), for “271(3) and (4)” substitute “271”, and
- (b) “

Member’s explanatory statement

This amendment amends section 312(2) of the Proceeds of Crime Act 2002 (performance of functions of Scottish Ministers by constables in Scotland) to provide that all functions of the Scottish Ministers within section 271 of that Act (agreements about associated and joint property) may not be performed by constables.

Secretary Suella Braverman

89

Schedule 7, page 258, line 16, at end insert—

- “(ra) section 303Z28(5)(b) (further detention of seized cryptoasset-related items);
- (rb) section 303Z32(5)(b) (further detention of seized cryptoassets);
- (rc) section 303Z34(4) and (5)(b)(i) (release of cryptoassets and cryptoasset-related items);”

Member's explanatory statement

This amendment and Amendments 90 and 91 consequentially amend section 312(2) of the Proceeds of Crime Act 2002 (performance of functions of Scottish Ministers by constables in Scotland) to provide that certain functions of the Scottish Ministers in inserted Chapters 3C to 3F of Part 5 of that Act may not be performed by constables.

Secretary Suella Braverman 90

Schedule 7, page 258, line 20, at end insert—

- “(ua) section 303Z44 (agreements about associated and joint property);
- (ub) section 303Z45(10) (associated and joint property: default of agreement);
- (uc) section 303Z46(2) (continuation of crypto wallet freezing order pending appeal);
- (ud) section 303Z47(1) (sections 303Z41 to 303Z45: appeals);”

Member's explanatory statement

See Amendment 89.

Secretary Suella Braverman 91

Schedule 7, page 258, line 25, at end insert—

- “(y) section 303Z61(1) (appeal against decision under section 303Z60).”

Member's explanatory statement

See Amendment 89.

Secretary Suella Braverman 92

Schedule 7, page 263, line 6, at end insert—

“11A In section 453B of the Proceeds of Crime Act 2002 (certain offences in relation to SFO officers), in subsection (5), after paragraph (g) insert—

- “(ga) section 303Z21 (powers to search for cryptoasset-related items);
- (gb) section 303Z26 (powers to seize cryptoasset-related items);
- (gc) section 303Z27 (powers to detain cryptoasset-related items);”.

Member's explanatory statement

This amendment consequentially amends section 453B of the Proceeds of Crime Act 2002 (certain offences in relation to SFO officers) to provide that the offences in that section apply in relation to an SFO officer who is acting in exercise of certain cryptoasset-related powers in inserted Chapter 3C of Part 5 of that Act.

Secretary Suella Braverman 93

Schedule 8, page 267, line 19, at end insert—

- “(c) by the Scottish Ministers in connection with their functions under this Schedule, to an authority exercising equivalent functions in a foreign country, or
- (d) by a person under section 375A or 408A of the Proceeds of Crime Act 2002 (evidence overseas).”

Member’s explanatory statement

This amendment and Amendments 94, 95, 99 and 100 provide that a “request for assistance” in inserted Parts 4BA to 4BD of Schedule 1 to the Anti-terrorism, Crime and Security Act 2001 (cryptoassets: terrorism) includes a request made by the Scottish Ministers to an authority exercising equivalent functions in a foreign country or a request made under section 375A or 408A of the Proceeds of Crime Act 2002.

Secretary Suella Braverman 94

Schedule 8, page 270, line 12, at end insert—

- “(c) by the Scottish Ministers in connection with their functions under this Schedule, to an authority exercising equivalent functions in a foreign country, or
- (d) by a person under section 375A or 408A of the Proceeds of Crime Act 2002 (evidence overseas).”

Member’s explanatory statement

See Amendment 93.

Secretary Suella Braverman 95

Schedule 8, page 274, line 33, at end insert—

- “(c) by the Scottish Ministers in connection with their functions under this Schedule, to an authority exercising equivalent functions in a foreign country, or
- (d) by a person under section 375A or 408A of the Proceeds of Crime Act 2002 (evidence overseas).”

Member’s explanatory statement

See Amendment 93.

Secretary Suella Braverman 96

Schedule 8, page 277, line 3, leave out from “detained” to “or” in line 4 and insert “under Part 4BA”

Member’s explanatory statement

This amendment provides that cryptoassets detained under any provision of Part 4BA of Schedule 1 to the Anti-terrorism, Crime and Security Act 2001 (seizure and detention of terrorist cryptoassets) (including under paragraph 10Z7AF of that Schedule) are subject to forfeiture under paragraph 10Z7CA of that Schedule.

Secretary Suella Braverman 97

Schedule 8, page 278, leave out line 4 and insert “under Part 4BA”

Member’s explanatory statement

This amendment is consequential on Amendment 96.

Secretary Suella Braverman 98

Schedule 8, page 278, line 5, leave out “in pursuance of the order” and insert “under Part 4BA”

Member’s explanatory statement

This amendment is consequential on Amendment 96.

Secretary Suella Braverman 99

Schedule 8, page 295, line 20, at end insert—

- “(c) by the Scottish Ministers in connection with their functions under this Schedule, to an authority exercising equivalent functions in a foreign country, or
- (d) by a person under section 375A or 408A of the Proceeds of Crime Act 2002 (evidence overseas).”

Member’s explanatory statement

See Amendment 93.

Secretary Suella Braverman

100

Schedule 8, page 296, line 16, at end insert—

- “(c) by the Scottish Ministers in connection with their functions under this Schedule, to an authority exercising equivalent functions in a foreign country, or
- (d) by a person under section 375A or 408A of the Proceeds of Crime Act 2002 (evidence overseas).”

Member’s explanatory statement

See Amendment 93.

Order of the House

[13 October 2022]

That the following provisions shall apply to the Economic Crime and Corporate Transparency Bill:

Committal

1. The Bill shall be committed to a Public Bill Committee.

Proceedings in Public Bill Committee

2. Proceedings in the Public Bill Committee shall (so far as not previously concluded) be brought to a conclusion on Tuesday 29 November 2022.
3. The Public Bill Committee shall have leave to sit twice on the first day on which it meets.

Proceedings on Consideration and on Third Reading

4. Proceedings on Consideration shall (so far as not previously concluded) be brought to a conclusion one hour before the moment of interruption on the day on which those proceedings are commenced.
5. Proceedings on Third Reading shall (so far as not previously concluded) be brought to a conclusion at the moment of interruption on that day.
6. Standing Order No. 83B (Programming committees) shall not apply to proceedings on Consideration and Third Reading.

Other proceedings

7. Any other proceedings on the Bill may be programmed.

Order of the House

[24 January 2023]

That the Order of 13 October 2022 (Economic Crime and Corporate Transparency Bill: Programme) be varied as follows:

1. Paragraphs (4) and (5) of the Order shall be omitted.
2. Proceedings on Consideration and Third Reading shall be taken in two days in accordance with the following provisions of this Order.
3. Proceedings on Consideration—
 - (a) shall be taken in the order shown in the first column of the following Table, and
 - (b) shall (so far as not previously concluded) be brought to a conclusion at the times specified in the second column of the Table.

Proceedings

New Clauses and new Schedules relating to Parts 1, 2 and 3; amendments to Parts 1, 2 and 3.

New Clauses and new Schedules relating to Parts 4, 5 and 6; amendments to Parts 4, 5 and 6; any other new Clauses and new Schedules; remaining proceedings on Consideration.

Time for conclusion of proceedings

The moment of interruption on the first day.

One hour before the moment of interruption on the second day.

4. Proceedings on Third Reading shall (so far as not previously concluded) be brought to a conclusion at the moment of interruption on the second day.