



**GUILDHALL**  
CHAMBERS

# Section 327-329 Offences

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# Concealing etc

327(1) A person commits an offence if he –

- a) conceals criminal property;
- b) disguises criminal property;
- c) converts criminal property;
- d) transfers criminal property;
- e) removes criminal property from England and Wales or from Scotland or from Northern Ireland.

# Arrangements

328(1) A person commits an offence if he enters into or becomes concerned in an arrangement which he knows or suspects facilitates (by whatever means) the acquisition, retention, use or control of criminal property by or on behalf of another person.

# Acquisition, use and possession



329(1) A person commits an offence if he –

- a) acquires criminal property;
- b) uses criminal property;
- c) has possession of criminal property.

340(2) Criminal conduct is conduct which –

- a) constitutes an offence in any part of the United Kingdom, or
- b) would constitute an offence in any part of the United Kingdom if it occurred there.

340(3) property is criminal property if –

- a) it constitutes a person's benefit from criminal conduct or it represents such a benefit (in whole or in part and whether directly or indirectly), and
- b) the alleged offender knows or suspects that it constitutes or represents such a benefit.

327(2) But a person does not commit such an offence if –

- a) he makes an authorised disclosure under section 338 and (if the disclosure is made before he does the act mentioned in subsection (1)) he has the appropriate consent;
- b) he intended to make such disclosure but had a reasonable excuse for not doing so
- c) [...law enforcement exclusion]

(2A) Nor does a person commit an offence under subsection (1) if –

- a) he knows, or believes on reasonable grounds, that the relevant criminal conduct occurred in a particular country or territory outside the United Kingdom, and
- b) the relevant criminal conduct
  - i. was not, at the time it occurred, unlawful under the criminal law then applying in that country or territory, and
  - ii. is not of a description prescribed by an order made by the Secretary of State.





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(2B) In subsection (2A) "the relevant criminal conduct" is the criminal conduct by reference to which the property concerned is criminal property'.



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s.329 (2) But a person does not commit such an offence if –

- c) he acquired or used or had possession of the property for adequate consideration.

329(3) For the purposes of this section –

- a) a person acquires property for inadequate consideration if the value of the consideration is significantly less than the value of the property;
- b) a person uses or has possession of property for inadequate consideration if the value of the consideration is significantly less than the value of the use or the possession;
- c) the provision by a person of goods or services which he knows or suspects may help another to carry out criminal conduct is not consideration.