



# Proceeds of Crime Act 2002

## 2002 CHAPTER 29

### PART 8

#### INVESTIGATIONS

#### CHAPTER 2

##### ENGLAND AND WALES AND NORTHERN IRELAND

##### *f<sup>1</sup>Unexplained wealth orders: enforcement abroad*

#### Textual Amendments

- F1** Ss. 362S, 362T and cross-heading inserted (27.4.2017 for specified purposes, 31.1.2018 for E.W. in so far as not already in force) by [Criminal Finances Act 2017 \(c. 22\)](#), **ss. 3, 58(1)(6)**; [S.I. 2018/78](#), reg. 3(a)

#### **362S Enforcement abroad: enforcement authority**

- (1) This section applies if—
  - (a) the High Court makes an unexplained wealth order in respect of any property,
  - (b) it appears to the enforcement authority that the risk mentioned in section 362J(2) applies in relation to the property, and
  - (c) the enforcement authority believes that the property is in a country outside the United Kingdom (the receiving country).
- (2) The enforcement authority may send a request for assistance in relation to the property to the Secretary of State with a view to it being forwarded under this section.
- (3) The Secretary of State may forward the request for assistance to the government of the receiving country.

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*Status: Point in time view as at 27/04/2017.*

*Changes to legislation: Proceeds of Crime Act 2002, Cross Heading: Unexplained wealth orders: enforcement abroad is up to date with all changes known to be in force on or before 27 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

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- (4) A request for assistance under this section is a request to the government of the receiving country—
- (a) to secure that any person is prohibited from dealing with the property;
  - (b) for assistance in connection with the management of the property, including with securing its detention, custody or preservation.

### **362T Enforcement abroad: receiver**

- (1) This section applies if—
- (a) an interim freezing order has effect in relation to property, and
  - (b) the receiver appointed under section 362N in respect of the property believes that it is in a country outside the United Kingdom (the receiving country).
- (2) The receiver may send a request for assistance in relation to the property to the Secretary of State with a view to it being forwarded under this section.
- (3) The Secretary of State must forward the request for assistance to the government of the receiving country.
- (4) A request for assistance under this section is a request to the government of the receiving country—
- (a) to secure that any person is prohibited from dealing with the property;
  - (b) for assistance in connection with the management of the property, including with securing its detention, custody or preservation.]

**Status:**

Point in time view as at 27/04/2017.

**Changes to legislation:**

Proceeds of Crime Act 2002, Cross Heading: Unexplained wealth orders: enforcement abroad is up to date with all changes known to be in force on or before 27 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.