

Status: Point in time view as at 24/03/2003.

Changes to legislation: Proceeds of Crime Act 2002, SCHEDULE 5 is up to date with all changes known to be in force on or before 24 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)

SCHEDULES

SCHEDULE 5

Section 223

LIFESTYLE OFFENCES: NORTHERN IRELAND

Drug trafficking

- 1 (1) An offence under any of the following provisions of the Misuse of Drugs Act 1971 (c. 38)—
- (a) section 4(2) or (3) (unlawful production or supply of controlled drugs);
 - (b) section 5(3) (possession of controlled drug with intent to supply);
 - (c) section 8 (permitting certain activities relating to controlled drugs);
 - (d) section 20 (assisting in or inducing the commission outside the UK of an offence punishable under a corresponding law).
- (2) An offence under any of the following provisions of the Customs and Excise Management Act 1979 (c. 2) if it is committed in connection with a prohibition or restriction on importation or exportation which has effect by virtue of section 3 of the Misuse of Drugs Act 1971—
- (a) section 50(2) or (3) (improper importation of goods);
 - (b) section 68(2) (exportation of prohibited or restricted goods);
 - (c) section 170 (fraudulent evasion).
- (3) An offence under either of the following provisions of the Criminal Justice (International Co-operation) Act 1990 (c. 5)—
- (a) section 12 (manufacture or supply of a substance for the time being specified in Schedule 2 to that Act);
 - (b) section 19 (using a ship for illicit traffic in controlled drugs).

Commencement Information

11 Sch. 5 para. 1 in force at 24.3.2003 by [S.I. 2003/333](#), art. 2, [Sch.](#)

Money laundering

- 2 An offence under either of the following provisions of this Act—
- (a) section 327 (concealing etc. criminal property);
 - (b) section 328 (assisting another to retain criminal property).

Commencement Information

12 Sch. 5 para. 2 in force at 24.3.2003 by [S.I. 2003/333](#), art. 2, [Sch.](#)

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Directing terrorism

- 3 An offence under section 56 of the Terrorism Act 2000 (c. 11) (directing the activities of a terrorist organisation).

Commencement Information

I3 Sch. 5 para. 3 in force at 24.3.2003 by [S.I. 2003/333](#), art. 2, [Sch.](#)

People trafficking

- [^{F14} (1) An offence under section 25, 25A or 25B of the Immigration Act 1971 (assisting unlawful immigration etc.).
 (2) An offence under section 145 of the Nationality, Immigration and Asylum Act 2002 (traffic in prostitution).]

Textual Amendments

F1 Sch. 5 para. 4 substituted (10.2.2003) by [Nationality, Immigration and Asylum Act 2002 \(c. 41\)](#), s. 162(1), [Sch. 7 para. 33](#) (with s. 159); [S.I. 2003/1](#), art. 2, [Sch.](#)

Commencement Information

I4 Sch. 5 para. 4 in force at 24.3.2003 by [S.I. 2003/333](#), art. 2, [Sch.](#)

Arms trafficking

- 5 (1) An offence under either of the following provisions of the Customs and Excise Management Act 1979 if it is committed in connection with a firearm or ammunition—
 (a) section 68(2) (exportation of prohibited goods);
 (b) section 170 (fraudulent evasion).
 (2) An offence under Article 4(1) of the Firearms (Northern Ireland) Order 1981 (S.I. 1981/155 (N.I. 2) (dealing in firearms or ammunition by way of trade or business).
 (3) In this paragraph “firearm” and “ammunition” have the same meanings as in Article 2(2) of that Order.

Commencement Information

I5 Sch. 5 para. 5 in force at 24.3.2003 by [S.I. 2003/333](#), art. 2, [Sch.](#)

Counterfeiting

- 6 An offence under any of the following provisions of the Forgery and Counterfeiting Act 1981 (c. 45)—
 (a) section 14 (making counterfeit notes or coins);
 (b) section 15 (passing etc counterfeit notes or coins);
 (c) section 16 (having counterfeit notes or coins);

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- (d) section 17 (making or possessing materials or equipment for counterfeiting).

Commencement Information

I6 Sch. 5 para. 6 in force at 24.3.2003 by [S.I. 2003/333](#), art. 2, [Sch.](#)

Intellectual property

- 7 (1) An offence under any of the following provisions of the Copyright, Designs and Patents Act 1988 (c. 48)—
- (a) section 107(1) (making or dealing in an article which infringes copyright);
 - (b) section 107(2) (making or possessing an article designed or adapted for making a copy of a copyright work);
 - (c) section 198(1) (making or dealing in an illicit recording);
 - (d) section 297A (making or dealing in unauthorised decoders).
- (2) An offence under section 92(1), (2) or (3) of the Trade Marks Act 1994 (c. 26) (unauthorised use etc of trade mark).

Commencement Information

I7 Sch. 5 para. 7 in force at 24.3.2003 by [S.I. 2003/333](#), art. 2, [Sch.](#)

Pimps and brothels

- 8 (1) An offence under any of the following provisions of the Criminal Law Amendment Act 1885 (c. 69)—
- (a) section 2 (procuring a woman or girl);
 - (b) section 3 (procuring a woman or girl by threats or false pretences);
 - (c) section 8 (detaining a woman in a brothel);
 - (d) section 13(3) (letting premises for use as a brothel).
- (2) An offence under section 1(1) of the Vagrancy Act 1898 (c. 39) (man living on the earnings of prostitution).
- (3) An offence under that Act as extended by section 7(4) of the Criminal Law Amendment Act 1912 (c. 20) (woman exercising control over prostitute).
- (4) An offence under section 21 of the Children and Young Persons Act (Northern Ireland) 1968 (c. 34) (causing or encouraging prostitution etc of girl under 17).
- (5) An offence under Article 8 of the Homosexual Offences (Northern Ireland) Order 1982 (S.I. 1982/1536 (N.I. 19)) (living on the earnings of male prostitute).
- (6) An offence under Article 122(1)(b) or (c) of the Mental Health (Northern Ireland) Order 1986 (S.I. 1986/595 (N.I. 4)) (procuring or causing prostitution by woman suffering from severe mental handicap).
- (7) An offence of keeping a bawdy house.

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Commencement Information

I8 Sch. 5 para. 8 in force at 24.3.2003 by [S.I. 2003/333](#), art. 2, [Sch.](#)

Blackmail

9 An offence under section 20 of the Theft Act (Northern Ireland) 1969 (c. 16) (blackmail).

Commencement Information

I9 Sch. 5 para. 9 in force at 24.3.2003 by [S.I. 2003/333](#), art. 2, [Sch.](#)

Inchoate offences

10 (1) An offence of attempting, conspiring or inciting the commission of an offence specified in this Schedule.
(2) An offence of aiding, abetting, counselling or procuring the commission of such an offence.

Commencement Information

I10 Sch. 5 para. 10 in force at 24.3.2003 by [S.I. 2003/333](#), art. 2, [Sch.](#)

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