



# Proceeds of Crime Act 2002

## 2002 CHAPTER 29

### PART 4 **N.I.**

#### CONFISCATION: NORTHERN IRELAND

##### *Defendant absconds*

#### **180 Discharge of order **N.I.****

- (1) Subsection (2) applies if—
  - (a) the court makes a confiscation order under section 156 as applied by section 178,
  - (b) the defendant is later tried for the offence or offences concerned and acquitted on all counts, and
  - (c) he applies to the Crown Court to discharge the order.
- (2) In such a case the court must discharge the order.
- (3) Subsection (4) applies if—
  - (a) the court makes a confiscation order under section 156 as applied by section 178,
  - (b) the defendant ceases to be an absconder,
  - (c) subsection (1)(b) does not apply, and
  - (d) he applies to the Crown Court to discharge the order.
- (4) In such a case the court may discharge the order if it finds that—
  - (a) there has been undue delay in continuing the proceedings mentioned in section 178(2), or
  - (b) the prosecutor does not intend to proceed with the prosecution.
- (5) If the court discharges a confiscation order under this section it may make such a consequential or incidental order as it believes is appropriate.

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*Status: Point in time view as at 01/01/2004.*

*Changes to legislation: Proceeds of Crime Act 2002, Section 180 is up to date with all changes known to be in force on or before 16 July 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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**Modifications etc. (not altering text)**

**C1** Pt. 4 applied by S.I. 1989/1341 (N.I. 12), **arts. 57(5B), 59(8B)** (as substituted (24.3.2003) by **Proceeds of Crime Act 2002 (c. 29)**, Supreme Court s. 458(1), Sch. 11 para. 19(2)(3); S.I. 2003/333, **art. 2, Sch.**)

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**Commencement Information**

**I1** S. 180 in force at 24.3.2003 by S.I. 2003/333, **art. 2, Sch.**

**Status:**

Point in time view as at 01/01/2004.

**Changes to legislation:**

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