



Proceeds of Crime Act 2002

2002 CHAPTER 29

PART 8

INVESTIGATIONS

CHAPTER 2

ENGLAND AND WALES AND NORTHERN IRELAND

[^{F1}Unexplained wealth orders

[^{F1}362E Offence

- (1) A person commits an offence if, in purported compliance with a requirement imposed by an unexplained wealth order, the person—
 - (a) makes a statement that the person knows to be false or misleading in a material particular, or
 - (b) recklessly makes a statement that is false or misleading in a material particular.
- (2) A person guilty of an offence under this section is liable—
 - (a) on conviction on indictment, to imprisonment for a term not exceeding 2 years, or to a fine, or to both;
 - (b) on summary conviction in England and Wales, to imprisonment for a term not exceeding [^{F2}the general limit in a magistrates' court], or to a fine, or to both;
 - (c) on summary conviction in Northern Ireland, to imprisonment for a term not exceeding 6 months, or to a fine not exceeding the statutory maximum, or to both.
- (3) In relation to an offence committed before [^{F3}2 May 2022], the reference in subsection (2)(b) to [^{F4}the general limit in a magistrates' court] is to be read as a reference to 6 months.]

Changes to legislation: Proceeds of Crime Act 2002, Section 362E is up to date with all changes known to be in force on or before 18 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) View outstanding changes

Textual Amendments

- F1** Ss. 362A-362I and cross-heading inserted (27.4.2017 for specified purposes, 31.1.2018 for E.W. in so far as not already in force, 28.6.2021 for N.I. in so far as not already in force) by [Criminal Finances Act 2017 \(c. 22\), ss. 1, 58\(1\)\(6\)](#) (as amended (N.I.) (31.12.2020) by [S.I. 2019/742](#), regs. 1, [109\(2\)](#); 2020 c. 1, [Sch. 5 para. 1\(1\)](#)); [S.I. 2018/78](#), [reg. 3\(a\)](#); [S.I. 2021/724](#), [reg. 2\(1\)\(a\)](#)
- F2** Words in s. 362E(3) substituted (7.2.2023 at 12.00 p.m.) by [The Judicial Review and Courts Act 2022 \(Magistrates' Court Sentencing Powers\) Regulations 2023 \(S.I. 2023/149\)](#), regs. 1(2), 2(1), [Sch. Pt. 1](#)
- F3** Words in s. 362E(3) substituted (28.4.2022) by [The Criminal Justice Act 2003 \(Commencement No. 33\) and Sentencing Act 2020 \(Commencement No. 2\) Regulations 2022 \(S.I. 2022/500\)](#), regs. 1(2), 5(1), [Sch. Pt. 1](#)
- F4** Words in s. 362E(2)(b) substituted (7.2.2023 at 12.00 p.m.) by [The Judicial Review and Courts Act 2022 \(Magistrates' Court Sentencing Powers\) Regulations 2023 \(S.I. 2023/149\)](#), regs. 1(2), 2(1), [Sch. Pt. 1](#)

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 13(5)(a)(iia) inserted by [2015 c. 30 Sch. 5 para. 15\(3\)\(d\)](#)
- s. 323(1)(hc) inserted by [2023 c. 20 Sch. para. 45\(2\)](#)
- s. 323(4)(ec) inserted by [2023 c. 20 Sch. para. 45\(3\)](#)
- s. 323(5)(ec) inserted by [2023 c. 20 Sch. para. 45\(4\)](#)