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## EXPLANATORY NOTE

*(This note is not part of the Order.)*

This Order provides that, subject to certain modifications, the Proceeds of Crime (Northern Ireland) Order 1996 (“the 1996 Order”) applies to an order made by a court in any of the countries or territories listed in Schedule 1 (being countries and territories designated under section 96 of the Criminal Justice Act 1988) for the purposes of recovering property obtained as a result of or in connection with conduct corresponding to certain offences, recovering the value of the property so obtained or of depriving a person of a pecuniary advantage so obtained. The 1996 Order as modified will also apply to proceedings which have been or are to be instituted in a designated country or territory and may result in such an order being made there. Offences to which the 1996 Order as modified applies are indictable offences (other than drug trafficking offences and offences under Part III of the Prevention of Terrorism (Temporary Provisions) Act 1989) and certain specified summary offences. The Order also provides in Article 7 that the value of any property recovered in a designated country or territory in response to a request by the government of the United Kingdom for assistance in the enforcement of an order is to be treated as reducing the amount payable in Northern Ireland under a confiscation order made by the Crown Court or a court of summary jurisdiction.

Article 2 designates the countries and territories listed in Schedule 1 for the purposes of enforcement of confiscation orders and applies the provisions of the 1996 Order, with modifications, to confiscation orders of courts in those countries and territories and proceedings which may lead to such an order being made. The modifications of the 1996 Order are set out in Schedule 2, and Schedule 3 sets out in full that Order as so modified.