



Proceeds of Crime Act 2002

2002 CHAPTER 29

PART 4

CONFISCATION: NORTHERN IRELAND

Interpretation

230 Free property

[^{F1}(1) Property is free unless it falls within subsection (2) or (3).]

[^{F2}(2)] [^{F3}Property falls within this subsection if] an order is in force in respect of it under any of these provisions—

- (a) section 27 of the Misuse of Drugs Act 1971 (c. 38) (forfeiture orders);
- (b) Article 11 of the Criminal Justice (Northern Ireland) Order 1994 (S.I. 1994/2795 (N.I. 15)) (deprivation orders);
- (c) Part 2 of the Proceeds of Crime (Scotland) Act 1995 (c. 43) (forfeiture of property used in crime);
- (d) section 143 of the Powers of Criminal Courts (Sentencing) Act 2000 (c. 6) (deprivation orders);
- (e) section 23[^{F4}, 23A] or 111 of the Terrorism Act 2000 (c. 11) (forfeiture orders);
- (f) section [^{F5}245A,] 246, [^{F6}255A, 256,] 266, 295(2) or 298(2) of this Act.

[^{F7}(3) Property falls within this subsection if—

- (a) it has been forfeited in pursuance of a forfeiture notice under section 297A;
- (b) it is detained under section 297C or 297D.]

Textual Amendments

- F1** S. 230(1) inserted (1.6.2015) by [Policing and Crime Act 2009 \(c. 26\), s. 116\(1\), Sch. 7 para. 105\(2\)](#); [S.I. 2015/983, arts. 2\(2\)\(e\), 3\(ff\)](#)

Status: Point in time view as at 01/06/2015. This version of this provision has been superseded.

Changes to legislation: Proceeds of Crime Act 2002, Section 230 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)

- F2** S. 230 renumbered as s. 230(2) (1.6.2015) by Policing and Crime Act 2009 (c. 26), s. 116(1), **Sch. 7 para. 105(3)**; S.I. 2015/983, arts. 2(2)(e), 3(ff)
- F3** Words in s. 230(2) substituted (1.6.2015) by Policing and Crime Act 2009 (c. 26), s. 116(1), **Sch. 7 para. 105(4)**; S.I. 2015/983, arts. 2(2)(e), 3(ff)
- F4** Word in s. 230(e) inserted (18.6.2009) by Counter-Terrorism Act 2008 (c. 28), s. 100(5), **Sch. 3 para. 7(7)** (with s. 101(2)); S.I. 2009/1256, art. 2(c)
- F5** Word in s. 230(f) inserted (1.1.2006) by Serious Organised Crime and Police Act 2005 (c. 15), s. 178(8), **Sch. 6 para. 7(a)**; S.I. 2005/3136, art. 3(c)
- F6** Words in s. 230(f) inserted (1.1.2006) by Serious Organised Crime and Police Act 2005 (c. 15), s. 178(8), **Sch. 6 para. 7(b)**; S.I. 2005/3136, art. 3(c)
- F7** S. 230(3) inserted (1.6.2015) by Policing and Crime Act 2009 (c. 26), s. 116(1), **Sch. 7 para. 105(5)**; S.I. 2015/983, arts. 2(2)(e), 3(ff)

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.**)

Commencement Information

- I1** S. 230 in force at 24.3.2003 by S.I. 2003/333, art. 2, **Sch.**

Status:

Point in time view as at 01/06/2015. This version of this provision has been superseded.

Changes to legislation:

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