



# Proceeds of Crime Act 2002

## 2002 CHAPTER 29

### PART 4

#### CONFISCATION: NORTHERN IRELAND

##### *Interpretation*

#### **232 Property: general provisions**

- (1) Property is all property wherever situated and includes—
  - (a) money;
  - (b) all forms of real or personal property;
  - (c) things in action and other intangible or incorporeal property.
- (2) The following rules apply in relation to property—
  - (a) property is held by a person if he holds an interest in it;
  - (b) property is obtained by a person if he obtains an interest in it;
  - (c) property is transferred by one person to another if the first one transfers or grants an interest in it to the second;
  - (d) references to property held by a person include references to property vested in his trustee in bankruptcy [<sup>F1</sup>or liquidator or in the trustee or interim trustee in the sequestration, under the Bankruptcy (Scotland) Act 2016), of his estate;]
  - (e) references to an interest held by a person beneficially in property include references to an interest which would be held by him beneficially if the property were not so vested;
  - (f) references to an interest, in relation to land in Northern Ireland or England and Wales, are to any legal estate or equitable interest or power;
  - (g) references to an interest, in relation to land in Scotland, are to any estate, interest, servitude or other heritable right in or over land, including a heritable security;
  - (h) references to an interest, in relation to property other than land, include references to a right (including a right to possession).

---

**Changes to legislation:** Proceeds of Crime Act 2002, Section 232 is up to date with all changes known to be in force on or before 12 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) View outstanding changes

---

---

#### Textual Amendments

- F1** Words in s. 232(2)(d) substituted (30.11.2016) by [The Bankruptcy \(Scotland\) Act 2016 \(Consequential Provisions and Modifications\) Order 2016 \(S.I. 2016/1034\)](#), art. 1, **Sch. 1 para. 25(5)**

---

#### 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.**)
- C2** S. 232(2)(a)(c)-(g) applied (1.1.2006) by [The Proceeds of Crime Act 2002 \(External Requests and Orders\) Order 2005 \(S.I. 2005/3181\)](#), arts. 1, **135(3)**
- C3** S. 232(2)(c)-(g) applied (1.1.2006) by [The Proceeds of Crime Act 2002 \(External Requests and Orders\) Order 2005 \(S.I. 2005/3181\)](#), arts. 1, **135(3)**

---

#### Commencement Information

- I1** S. 232 in force at 24.3.2003 by [S.I. 2003/333](#), art. 2, **Sch.**

**Changes to legislation:**

Proceeds of Crime Act 2002, Section 232 is up to date with all changes known to be in force on or before 12 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.

[View outstanding changes](#)

**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\(4\)](#)