



# Proceeds of Crime Act 2002

## 2002 CHAPTER 29

### PART 7

#### MONEY LAUNDERING

##### *Offences*

#### **332 Failure to disclose: other nominated officers**

- (1) A person nominated to receive disclosures under section 337 or 338 commits an offence if the conditions in subsections (2) to (4) are satisfied.
- (2) The first condition is that he knows or suspects that another person is engaged in money laundering.
- (3) The second condition is that the information or other matter on which his knowledge or suspicion is based came to him in consequence of a disclosure made under [<sup>F1</sup>the applicable section ].

[<sup>F2</sup>(3A) The third condition is—

- (a) that he knows the identity of the other person mentioned in subsection (2), or the whereabouts of any of the laundered property, in consequence of a disclosure made under the applicable section,
  - (b) that that other person, or the whereabouts of any of the laundered property, can be identified from the information or other matter mentioned in subsection (3), or
  - (c) that he believes, or it is reasonable to expect him to believe, that the information or other matter will or may assist in identifying that other person or the whereabouts of any of the laundered property.
- (4) The fourth condition is that he does not make the required disclosure to a person authorised for the purposes of this Part by the Director General of [<sup>F3</sup>SOCA] as soon as is practicable after the information or other matter mentioned in subsection (3) comes to him.

*Status: Point in time view as at 01/04/2008. This version of this provision has been superseded.*

*Changes to legislation: Proceeds of Crime Act 2002, Section 332 is up to date with all changes known to be in force on or before 08 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)*

- (5) The required disclosure is a disclosure of—
- (a) the identity of the other person mentioned in subsection (2), if disclosed to him under the applicable section,
  - (b) the whereabouts of the laundered property, so far as disclosed to him under the applicable section, and
  - (c) the information or other matter mentioned in subsection (3).
- (5A) The laundered property is the property forming the subject-matter of the money laundering that he knows or suspects that other person to be engaged in.
- (5B) The applicable section is section 337 or, as the case may be, section 338.
- (6) But he does not commit an offence under this section if he has a reasonable excuse for not making the required disclosure.]
- [<sup>F4</sup>(7) Nor does a person commit an offence under this section if—
- (a) he knows, or believes on reasonable grounds, that the money laundering is occurring in a particular country or territory outside the United Kingdom, and
  - (b) the money laundering—
    - (i) is not unlawful under the criminal law applying in that country or territory, and
    - (ii) is not of a description prescribed in an order made by the Secretary of State.]

#### Textual Amendments

- F1** Words in s. 332(3) substituted (1.7.2005) by [Serious Organised Crime and Police Act 2005 \(c. 15\)](#), **ss. 104(5)**, 178(8); S.I. 2005/1521, art. 3(1)(c)
- F2** S. 332(3A)-(6) substituted for s. 332(4)-(6) (1.7.2005) by [Serious Organised Crime and Police Act 2005 \(c. 15\)](#), **ss. 104(6)**, 178(8); S.I. 2005/1521, art. 3(1)(c) (with art. 3(4))
- F3** Word in s. 332(4) substituted (1.4.2008) by [Serious Crime Act 2007 \(c. 27\)](#), s. 94(1), **Sch. 8 para. 128**; S.I. 2008/755, art. 2(1)(a) (with arts. 3-14)
- F4** S. 332(7) inserted (15.5.2006) by [Serious Organised Crime and Police Act 2005 \(c. 15\)](#), **ss. 102(7)**, 178(8); S.I. 2006/1085, art. 3

#### Modifications etc. (not altering text)

- C1** Pt. 7 applied (24.2.2003) by [Proceeds of Crime Act 2002 \(Crown Servants\) Regulations 2003 \(S.I. 2003/173\)](#), regs. 1, 3

#### Commencement Information

- I1** S. 332 in force at 24.2.2003 by [S.I. 2003/120](#), art. 2, **Sch.** (with arts. 3, 4) (as amended (20.2.2003) by [S.I. 2003/333](#), art. 14)

**Status:**

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