



# Proceeds of Crime Act 2002

## 2002 CHAPTER 29

### PART 2

#### CONFISCATION: ENGLAND AND WALES

##### *Interpretation*

## 82 Free property

Property is free unless 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 Sentencing Act (deprivation orders);
- (e) section 23<sup>[F1]</sup>, 23A] or 111 of the Terrorism Act 2000 (c. 11) (forfeiture orders);
- (f) section <sup>[F2]</sup>245A, ] 246, <sup>[F3]</sup>255A, 256,] 266, 295(2) or 298(2) of this Act.

#### Textual Amendments

- F1** Word in s. 82(e) inserted (18.6.2009) by Counter-Terrorism Act 2008 (c. 28), s. 100(5), **Sch. 3 para. 7(3)** (with s. 101(2)); S.I. 2009/1256, art. 2(c)
- F2** Word in s. 82(f) inserted (1.1.2006) by Serious Organised Crime and Police Act 2005 (c. 15), s. 178(8), **Sch. 6 para. 5(a)**; S.I. 2005/3136, art. 3(c)
- F3** Words in s. 82(f) inserted (1.1.2006) by Serious Organised Crime and Police Act 2005 (c. 15), s. 178(8), **Sch. 6 para. 5(b)**; S.I. 2005/3136, art. 3(c)

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*Status: Point in time view as at 18/06/2009. This version of this provision has been superseded.*

*Changes to legislation: Proceeds of Crime Act 2002, Section 82 is up to date with all changes known to be in force on or before 18 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)*

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

- C1** Pt. 2 applied by Terrorism Act 2000 (c. 11), Sch. 8 paras. 8(5A), **34(3A)** (as substituted (24.3.2003) by Proceeds of Crime Act 2002 (c. 29), s. 458(1), **Sch. 11 para. 39(2)(5)**; S.S.I. 2003/210, art. 2(1)(b)(2), **sch.** (with art. 7); S.I. 2003/333, art. 2, **Sch.**)
- C2** Pt. 2 applied by Police and Criminal Evidence Act 1984 (c. 60), **ss. 56(5B), 58(8B)** (as substituted (24.3.2003) by Proceeds of Crime Act 2002 (c. 29), s. 458(1), **Sch. 11 para. 14(2)(3)**; S.I. 2003/333, art. 2, **Sch.**)

**Commencement Information**

- I1** S. 82 in force at 24.3.2003 by S.I. 2003/333, art. 2, **Sch.**

**Status:**

Point in time view as at 18/06/2009. This version of this provision has been superseded.

**Changes to legislation:**

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