

*Status: Point in time view as at 01/06/2015.*

*Changes to legislation: There are currently no known outstanding effects for the Policing and Crime Act 2009, Paragraph 90. (See end of Document for details)*

## SCHEDULES

### SCHEDULE 7

#### MINOR AND CONSEQUENTIAL AMENDMENTS

##### PART 6

##### PROCEEDS OF CRIME: CONFISCATION

##### *Proceeds of Crime Act 2002 (c. 29)*

- 90 (1) Section 428 (winding up under the Insolvency (Northern Ireland) Order 1989) is amended as follows.
- (2) For subsection (2) substitute—
- “(2) If an order for the winding up of a company is made or it passes a resolution for its voluntary winding up, the functions of the liquidator (or any provisional liquidator) are not exercisable in relation to the following property—
- (a) property for the time being subject to a restraint order which was made under section 41, 120 or 190 before the relevant time;
  - (b) property for the time being detained under or by virtue of section 44A, 47J, 47K, 47M, 47P, 122A, 127J, 127K, 127M, 127P, 193A, 195J, 195K, 195M or 195P;
  - (c) property in respect of which an order under section 50, 128(3) or 198 is in force;
  - (d) property in respect of which an order under section 67A, 131A or 215A is in force.”
- (3) In subsection (5)—
- (a) in paragraph (a) for “67” substitute “ 67B, the powers conferred on an appropriate officer by section 47C ”,
  - (b) in paragraph (b) after “Schedule 3” insert “ , the powers conferred on an appropriate officer by section 127C ”, and
  - (c) in paragraph (c) for “215” substitute “ 215B, the powers conferred on an appropriate officer by section 195C ”.

#### Commencement Information

**II** Sch. 7 para. 90 in force at 1.6.2015 for specified purposes by [S.I. 2015/983](#), [arts. 2\(2\)\(e\), 3\(aa\)](#)

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