
STATUTORY INSTRUMENTS

2002 No. 3133

The Proceeds of Crime Act 2002 (Enforcement in different parts of the United Kingdom) Order 2002

PART I

INTRODUCTION

Title and commencement

1. This Order may be cited as the Proceeds of Crime Act 2002 (Enforcement in different parts of the United Kingdom) Order 2002 and shall come into force on 24th February 2003.

Interpretation

2. In this Order—

“the Act” means the Proceeds of Crime Act 2002;

“an English or Welsh receivership order” means an order made under or for the purposes of any of the following provisions of the Act—

- (a) section 48(2) (appointment of management receiver—England and Wales);
- (b) section 49 (powers of management receiver—England and Wales);
- (c) section 50(2) (appointment of enforcement receiver—England and Wales);
- (d) section 51 (powers of enforcement receiver—England and Wales);
- (e) section 52(3) (appointment of Director’s receiver—England and Wales);
- (f) section 53 (powers of Director’s receiver—England and Wales);
- (g) section 54(3) (sums in enforcement receiver’s hands—England and Wales);
- (h) section 56(3) (sums in Director’s receiver’s hands—England and Wales);
- (i) section 62(4) (further application in relation to receivers—England and Wales);
- (j) section 63(2) (discharge and variation of receivership orders—England and Wales);
- (k) section 64(2) and (6) (discharge of management receiver—England and Wales);
- (l) section 65(6) (appeal to Court of Appeal in respect of receivership matters—England and Wales);
- (m) section 66(3) (appeal to House of Lords in respect of receivership matters—England and Wales),

but does not include an order made in proceedings for the enforcement, in England and Wales, of an order made under or for the purposes of the provisions listed above;

“an English or Welsh restraint order” means an order made under or for the purposes of the following provisions of the Act—

- (a) section 41(1) (restraint orders—England and Wales);

- (b) section 41(7) (orders for the purpose of making restraint orders effective—England and Wales);
- (c) section 42(5) (discharge and variation of restraint orders—England and Wales);
- (d) section 43(3) (appeal to Court of Appeal in respect of restraint orders—England and Wales);
- (e) section 44(3) (appeal to House of Lords in respect of restraint orders—England and Wales),

but does not include an order made in proceedings for the enforcement, in England and Wales, of an order made under or for the purposes of the provisions listed above;

“a Northern Ireland receivership order” means an order made under or for the purposes of the following provisions of the Act—

- (a) section 196(2) (appointment of management receiver—Northern Ireland);
- (b) section 197 (powers of management receiver—Northern Ireland);
- (c) section 198(2) (appointment of enforcement receiver—Northern Ireland);
- (d) section 199 (powers of enforcement receiver—Northern Ireland);
- (e) section 200(3) (appointment of Director’s receiver—Northern Ireland);
- (f) section 201 (powers of Director’s receiver—Northern Ireland);
- (g) section 202(3) (sums in enforcement receiver’s hands—Northern Ireland);
- (h) section 204(3) (sums in Director’s receiver’s hands—Northern Ireland);
- (i) section 210(4) (further application in relation to receivers—Northern Ireland);
- (j) section 211(2) (discharge and variation of receivership orders—Northern Ireland);
- (k) section 212(2) and (6) (discharge of management receiver—Northern Ireland);
- (l) section 213(6) (appeal to Court of Appeal in respect of receivership matters—Northern Ireland);
- (m) section 214(3) (appeal to House of Lords in respect of receivership matters—Northern Ireland),

but does not include an order made in proceedings for the enforcement, in Northern Ireland, of an order made under or for the purposes of the provisions listed above;

“a Northern Ireland restraint order” means an order made under or for the purposes of the following provisions of the Act—

- (a) section 190(1) (restraint orders—Northern Ireland);
- (b) section 190(7) (orders for the purpose of making restraint orders effective—Northern Ireland);
- (c) section 191(5) (discharge and variation of restraint orders—Northern Ireland);
- (d) section 192(3) (appeal to Court of Appeal in respect of restraint order—Northern Ireland);
- (e) section 193(3) (appeal to House of Lords in respect of restraint order—Northern Ireland),

but does not include an order made in proceedings for the enforcement, in Northern Ireland, of an order made under or for the purposes of the provisions listed above;

“a Scottish administration order” means an order made under or for the purposes of the following provisions of the Act—

- (a) section 125 (management administrators—Scotland);
- (b) section 128 (enforcement administrators—Scotland);

- (c) section 129(2) (management administrators: discharge—Scotland);
- (d) section 130(4) (sums in administrator’s hands—Scotland);
- (e) section 135(2) (recall and variation of administration order—Scotland);
- (f) section 136(6) (appeal in respect of administrators—Scotland);
- (g) paragraph 5(4) of Schedule 3 (vesting of property in administrator—Scotland);
- (h) paragraph 8(1) of Schedule 3 (supervision of administrators—Scotland),

but does not include an order made in proceedings for the enforcement, in Scotland, of an order made under or for the purposes of the provisions listed above;

“a Scottish restraint order” means an order made under or for the purposes of the following provisions of the Act—

- (a) section 120(1) (restraint orders—Scotland);
- (b) section 120(6) (orders for the purpose of making restraint orders effective—Scotland);
- (c) section 121(7) (recall and variation of restraint orders—Scotland);
- (d) section 122 (appeal in respect of restraint orders—Scotland),

but does not include an order made in proceedings for the enforcement, in Scotland, of an order made under or for the purposes of the provisions listed above.