
STATUTORY INSTRUMENTS

2005 No. 3179

CRIMINAL LAW, NORTHERN IRELAND

The Criminal Justice (International Co-operation) Act 1990 (Enforcement of Overseas Forfeiture Orders) (Northern Ireland) Order 2005

Made - - - - 15th November 2005

Laid before Parliament 25th November 2005

Coming into force 31st December 2005

THE CRIMINAL JUSTICE (INTERNATIONAL CO-OPERATION) ACT 1990 (ENFORCEMENT OF OVERSEAS FORFEITURE ORDERS) (NORTHERN IRELAND) ORDER 2005

PART 1

General Provisions

1. Citation, commencement and extent
2. Revocation

PART 2

Requests for Restraint of Property

3. Action on receipt of request for restraint of property
4. Conditions for High Court to give effect to request
5. Restraint orders
6. Application, discharge and variation of restraint orders
7. Appeal to Court of Appeal about restraint orders
8. Appeal to House of Lords about restraint orders
9. Seizure in pursuance of restraint order
10. Supplementary (restraint orders)
11. Appointment of management receivers
12. Powers of management receivers
13. Restrictions relating to restraint orders

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

PART 3

External Forfeiture Orders

14. Action on receipt of external forfeiture order in connection with criminal convictions
15. Authentication by the overseas court
16. Applications to give effect to external forfeiture orders
17. Conditions for Crown Court to give effect to external forfeiture orders
18. Registration of external forfeiture orders
19. Appeal to Court of Appeal about external forfeiture orders
20. Appeal to House of Lords about external forfeiture orders
21. Appointment of enforcement receivers
22. Powers of enforcement receivers in respect of external forfeiture orders for the recovery of specified property
23. Satisfaction of external forfeiture order
24. Restrictions relating to enforcement receivers

PART 4

RECEIVERS AND PROCEDURE

25. Protection of receiver appointed under articles 11 and 21
26. Further applications by receivers
27. Discharge and variation of receiver orders
28. Management receivers: discharge
29. Appeal to Court of Appeal about receivers
30. Appeal to the House of Lords about receivers
31. Powers of court and receiver
32. Procedure on appeal to Court of Appeal under this Order
33. Procedure on appeal to House of Lords under this Order

PART 5

INTERPRETATION

34. General interpretation
35. External forfeiture orders
36. Designated countries
37. Property
38. Tainted gifts
39. Gifts and their recipients
40. Value: the basic rule
41. Value of tainted gifts
42. Meaning of “defendant”
Signature

SCHEDULE 1 —

SCHEDULE 2 — Designated Countries

Explanatory Note