

**2015 No. 1856**

**PROCEEDS OF CRIME, ENGLAND AND WALES**

**The Proceeds of Crime Act 2002 (External Requests and Orders)  
Order 2005 (England and Wales) (Appeals under Part 2)  
(Amendment) Order 2015**

<i>Made</i> - - - -	<i>29th October 2015</i>
<i>Laid before Parliament</i>	<i>5th November 2015</i>
<i>Coming into force</i> - -	<i>30th November 2015</i>

The Secretary of State makes the following Order in exercise of the powers conferred by articles 5, 47(3) and 48(2) of the Proceeds of Crime Act 2002 (External Requests and Orders) Order 2005(a).

**Citation, commencement and extent**

**1.**—(1) This Order may be cited as the Proceeds of Crime Act 2002 (External Requests and Orders) Order 2005 (England and Wales) (Appeals under Part 2) (Amendment) Order 2015.

(2) This Order comes into force on 30th November 2015.

(3) This Order extends to England and Wales only.

**Amendment of the Proceeds of Crime Act 2002 (External Requests and Orders) Order 2005 (England and Wales) (Appeals under Part 2) Order 2012**

**2.**—(1) The Proceeds of Crime Act 2002 (External Requests and Orders) Order 2005 (England and Wales) (Appeals under Part 2) Order 2012(b) is amended as follows.

(2) In Part 2 (appeal to the Court of Appeal)—

- (a) in article 3 (initiating procedure), in paragraph (1), after “23” insert “, 24B(c)”;
- (b) in article 4 (disposal of groundless appeal or application for leave to appeal), after “23” insert “, 24B”;
- (c) in article 5 (preparation of case for hearing), in paragraphs (1) and (2), after “23” each time it occurs insert “, 24B”;
- (d) in article 6 (presence at hearing), in paragraphs (1), (3) and (4), after “23” insert “, 24B”;
- (e) in article 7 (evidence), in paragraphs (1) and (5), after “23” insert “, 24B”;
- (f) in article 8 (powers of Court of Appeal which are exercisable by a single judge), in paragraph (1)(a), after “23” insert “, 24B”;

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(a) S.I. 2005/3181, amended by S.I. 2006/594, 2008/302, 2009/2054, 2011/1242, 2013/472, 2013/534, 2013/2604, 2014/834, 2014/3141 and 2015/1750.  
(b) S.I. 2012/138.  
(c) Section 24B was inserted by article 12 of S.I. 2015/1750.

- (g) in article 12 (transcripts), in paragraph (1)(a), after “23” insert “, 24B”;
  - (h) in article 13 (appeals in cases of death), in paragraph (2)(a), after “23” insert “, 24B”; and
  - (i) in article 13 (appeals in cases of death), in paragraph (2)(b), after “24” insert “, 24C(a)”.
- (3) In Part 3 (appeal to the Supreme Court)—
- (a) in article 14 (leave to appeal to the Supreme Court), after “24” insert “, 24C”;
  - (b) in article 15 (application for leave to appeal), in paragraph (1), after “24” insert “, 24C”;  
and
  - (c) in article 16 (presence at hearing), after “24” each time it occurs insert “, 24C”.

Home Office  
29th October 2015

*Mike Penning*  
Minister of State

### **EXPLANATORY NOTE**

*(This note is not part of the Order)*

This Order amends the Proceeds of Crime Act 2002 (External Requests and Orders) Order 2005 (England and Wales) (Appeals under Part 2) Order 2012 (S.I. 2012/138) (“the 2012 Order”) as follows—

- (a) it inserts in Part 2 of the 2012 Order (appeal to the Court of Appeal) references to an appeal to the Court of Appeal under article 24B of the Proceeds of Crime Act 2002 (External Requests and Orders) Order 2005 (S.I. 2005/3181) (“the 2005 Order”);
- (b) it inserts in Part 3 of the 2012 Order (appeal to the Supreme Court) references to an appeal to the Supreme Court under article 24C of the 2005 Order.

Articles 24B and 24C were inserted in the 2005 Order by article 12 of S.I. 2015/1750.

An impact assessment has not been produced for this instrument as no impact is foreseen on the private, voluntary or public sectors.

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(a) Article 24C was inserted by article 12 of S.I. 2015/1750.



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