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STATUTORY INSTRUMENTS

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**1990 No. 2588**

**The Criminal Justice (Confiscation)  
(Northern Ireland) Order 1990**

Enforcement, etc., of confiscation orders

**Realisation of property**

**16.—(1)** Where—

- (a) a confiscation order is made;
  - (b) the order is not subject to appeal; and
  - (c) the proceedings in which it was made have not been concluded, the High Court may, on an application by the prosecution, exercise the powers conferred by paragraphs (2) to (6).
- (2) The Court may appoint a receiver in respect of realisable property.
- (3) The Court may empower a receiver appointed under paragraph (2), under Article 13 or in pursuance of a charging order—
- (a) to enforce any charge imposed under Article 14 on realisable property or on interest or dividends payable in respect of such property; and
  - (b) in relation to any realisable property other than property for the time being subject to a charge under Article 14, to take possession of the property subject to such conditions or exceptions as may be specified by the Court.
- (4) The Court may order any person having possession of realisable property to give possession of it to any such receiver.
- (5) The Court may empower any such receiver to realise any realisable property in such manner (including the manner of conveyance or transfer of property which is land) as the Court may direct.
- (6) The Court may order any person holding an interest in realisable property to make such payment to the receiver in respect of any beneficial interest held by the defendant or, as the case may be, the recipient of a gift caught by this Order as the Court may direct and the Court may, on the payment being made, by order transfer, grant or extinguish any interest in the property.
- (7) Paragraphs (4) to (6) do not apply to property for the time being subject to a charge under Article 14.
- (8) The High Court shall not in respect of any property exercise the powers conferred by paragraph (3)(a), (5) or (6) unless a reasonable opportunity has been given for persons holding any interest in the property to make representations to the Court.