



Proceeds of Crime Act 2002

2002 CHAPTER 29

PART 4

CONFISCATION: NORTHERN IRELAND

Enforcement abroad

222 Enforcement abroad

- (1) This section applies if—
 - (a) any of the conditions in section 189 is satisfied,
 - (b) the prosecutor ^{F1}... believes that realisable property is situated in a country or territory outside the United Kingdom (the receiving country), and
 - (c) the prosecutor ^{F2}... sends a request for assistance to the Secretary of State with a view to it being forwarded under this section.
- (2) In a case where no confiscation order has been made, a request for assistance is a request to the government of the receiving country to secure that any person is prohibited from dealing with realisable property.
- (3) In a case where a confiscation order has been made and has not been satisfied, discharged or quashed, a request for assistance is a request to the government of the receiving country to secure that—
 - (a) any person is prohibited from dealing with realisable property;
 - (b) realisable property is realised and the proceeds are applied in accordance with the law of the receiving country.
- (4) No request for assistance may be made for the purposes of this section in a case where a confiscation order has been made and has been satisfied, discharged or quashed.
- (5) If the Secretary of State believes it is appropriate to do so he may forward the request for assistance to the government of the receiving country.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Proceeds of Crime Act 2002. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

- (6) If property is realised in pursuance of a request under subsection (3) the amount ordered to be paid under the confiscation order must be taken to be reduced by an amount equal to the proceeds of realisation.
- (7) A certificate purporting to be issued by or on behalf of the requested government is admissible as evidence of the facts it states if it states—
- (a) that property has been realised in pursuance of a request under subsection (3),
 - (b) the date of realisation, and
 - (c) the proceeds of realisation.
- (8) If the proceeds of realisation made in pursuance of a request under subsection (3) are expressed in a currency other than sterling, they must be taken to be the sterling equivalent calculated in accordance with the rate of exchange prevailing at the end of the day of realisation.

Annotations:

Amendments (Textual)

- F1** Words in s. 222(1)(b) repealed (1.4.2008) by [Serious Crime Act 2007 \(c. 27\)](#), s. 94(1), Sch. 8 para. 68(a), [Sch. 14](#); [S.I. 2008/755](#), art. 2(1)(a)(d) (with arts. 3-14)
- F2** Words in s. 222(1)(c) repealed (1.4.2008) by [Serious Crime Act 2007 \(c. 27\)](#), s. 94(1), Sch. 8 para. 68(b), [Sch. 14](#); [S.I. 2008/755](#), art. 2(1)(a)(d) (with arts. 3-14)

Modifications etc. (not altering text)

- C1** Pt. 4 applied by [S.I. 1989/1341 \(N.I. 12\)](#), arts. 57(5B), 59(8B) (as substituted (24.3.2003) by [Proceeds of Crime Act 2002 \(c. 29\)](#), [Supreme Court s. 458\(1\)](#), [Sch. 11 para. 19\(2\)\(3\)](#); [S.I. 2003/333](#), art. 2, Sch.)

Commencement Information

- I1** S. 222 in force at 24.3.2003 by [S.I. 2003/333](#), art. 2, [Sch.](#) (with arts. 6, 10-13)

Changes to legislation:

There are outstanding changes not yet made by the legislation.gov.uk editorial team to Proceeds of Crime Act 2002. Any changes that have already been made by the team appear in the content and are referenced with annotations.

Changes and effects yet to be applied to :

- specified provision(s) amendment to earlier commencing SI 2003/120 art. 3 5 by [S.I. 2003/333 art. 14\(2\)](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:
Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- Pt. 5 Ch. 3A applied by 2007 c. 30, s. 24(1) (as substituted) by [2017 c. 22 s. 21\(3\)](#)
- Pt. 5 Ch. 3B applied by 2007 c. 30, s. 24(1) (as substituted) by [2017 c. 22 s. 21\(3\)](#)
- Pt. 5 Ch. 3A inserted by [2017 c. 22 s. 15](#)
- Pt. 5 Ch. 3B inserted by [2017 c. 22 s. 16](#)
- Pt. 8 Ch. 4 title words inserted by [2017 c. 22 Sch. 5 para. 73](#)
- s. 2A(2)(f)(g) inserted by [2017 c. 22 Sch. 5 para. 18\(2\)\(b\)](#)
- s. 2A(3)(d) and word inserted by [2017 c. 22 Sch. 5 para. 18\(3\)\(b\)](#)
- s. 7(4)(d) and word inserted by [2017 c. 22 Sch. 5 para. 20\(d\)](#)
- s. 13(3A)(d) inserted by 2015 c. 30 Sch. 5 para. 15 (as substituted) by [S.I. 2016/244 reg. 26](#)
- s. 13(5)(a)(iia) inserted by [2015 c. 30 Sch. 5 para. 15\(3\)\(d\)](#)
- s. 24(6)(7) inserted by [2017 c. 22 s. 32\(2\)](#)
- s. 25(4)(5) inserted by [2017 c. 22 s. 32\(3\)](#)
- s. 47A(1)(ba) inserted by [2017 c. 22 Sch. 1 para. 3\(b\)](#)
- s. 47G(3)(ab) inserted by [2015 c. 9 s. 13\(2\)](#)
- s. 47G(3)(ac) inserted by [2017 c. 22 Sch. 1 para. 4](#)
- s. 47G(3)(ba) inserted by [2017 c. 22 s. 31\(2\)](#)
- s. 47M(3)(ba) inserted by [2017 c. 22 Sch. 1 para. 5](#)
- s. 47S(2A) inserted by [2017 c. 22 Sch. 1 para. 6](#)
- s. 67(2A) inserted by [2017 c. 22 s. 26\(3\)](#)
- s. 67(9)(10) inserted by [2017 c. 22 s. 26\(9\)](#)
- s. 82(2)(f) words substituted by [2017 c. 22 Sch. 5 para. 22\(2\)](#)
- s. 82(2)(ea) inserted by [2017 c. 22 s. 34\(2\)\(a\)](#)
- s. 82(3)(c) inserted by [2017 c. 22 Sch. 5 para. 22\(3\)\(c\)](#)
- s. 82(3)(d)-(f) inserted by [2017 c. 22 s. 34\(2\)\(c\)](#)
- s. 93(4)(d) and word inserted by [2017 c. 22 Sch. 5 para. 23\(d\)](#)
- s. 97A inserted by [2015 c. 9 s. 15\(2\)](#)
- s. 97B-97D inserted by [2015 c. 9 s. 16](#)
- s. 99(11)(d)(e) inserted by [2015 c. 9 Sch. 4 para. 36](#)
- s. 100(3)(d)(e) inserted by [2015 c. 9 Sch. 4 para. 37\(2\)\(b\)](#)
- s. 100(4)(d)(e) inserted by [2015 c. 9 Sch. 4 para. 37\(3\)\(b\)](#)
- s. 104(7)(e)(f) inserted by [2015 c. 9 Sch. 4 para. 38\(2\)](#)
- s. 104(8A) inserted by [2015 c. 9 Sch. 4 para. 38\(3\)](#)
- s. 105(10)(e)(f) inserted by [2015 c. 9 Sch. 4 para. 39\(2\)](#)
- s. 105(11A) inserted by [2015 c. 9 Sch. 4 para. 39\(3\)](#)
- s. 106(8)(d)(e) inserted by [2015 c. 9 Sch. 4 para. 40\(2\)](#)
- s. 106(9)(b) inserted by [2015 c. 9 Sch. 4 para. 40\(3\)\(b\)](#)
- s. 107(4)(d)(e) inserted by [2015 c. 9 Sch. 4 para. 41\(2\)](#)
- s. 107(5)(b) inserted by [2015 c. 9 Sch. 4 para. 41\(3\)\(b\)](#)
- s. 109(6)(7) inserted by [2017 c. 22 s. 32\(4\)](#)
- s. 118(2A)-(2D) inserted by [2015 c. 9 s. 19\(1\)\(b\)](#)
- s. 120(6A)-(6C) inserted by [2015 c. 9 s. 20\(2\)](#)
- s. 121(8A)(8B) inserted by [2015 c. 9 s. 21](#)

- s. 121(9)(10) substituted for s. 121(9) by 2015 c. 9 Sch. 4 para. 43(3)
- s. 127G(3)(ab) inserted by 2015 c. 9 s. 22(2)
- s. 131(6A) inserted by 2015 c. 9 Sch. 4 para. 44(b)
- s. 131ZA and cross-heading inserted by 2017 c. 22 s. 28
- s. 148(2)(e) word omitted by 2017 c. 22 s. 34(3)(a)(i)
- s. 148(2)(f) words substituted by 2017 c. 22 Sch. 5 para. 24(2)
- s. 148(2)(ea) inserted by 2017 c. 22 s. 34(3)(a)(ii)
- s. 148(3)(c) inserted by 2017 c. 22 Sch. 5 para. 24(3)(c)
- s. 148(3)(d)-(f) inserted by 2017 c. 22 s. 34(3)(c)
- s. 157(4)(d) and word inserted by 2017 c. 22 Sch. 5 para. 25(d)
- s. 174(6)(7) inserted by 2017 c. 22 s. 32(5)
- s. 175(4)(5) inserted by 2017 c. 22 s. 32(6)
- s. 190A inserted by 2009 c. 26 s. 54(2)
- s. 190A(3)(d) substituted by 2013 c. 22 Sch. 8 para. 117
- s. 190A(3)(ca) inserted by 2013 c. 22 Sch. 21 para. 24
- s. 193A inserted by 2009 c. 26 s. 54(3)
- s. 195A(1)(ba) inserted by 2017 c. 22 Sch. 1 para. 7(b)
- s. 195G(3)(ac) inserted by 2017 c. 22 Sch. 1 para. 8
- s. 195G(3)(ba) inserted by 2017 c. 22 s. 31(3)
- s. 195M(3)(ba) inserted by 2017 c. 22 Sch. 1 para. 9
- s. 195S(1A)(c) inserted by 2017 c. 22 Sch. 1 para. 10(3)
- s. 195S(2A) inserted by 2017 c. 22 Sch. 1 para. 10(4)
- s. 203(4)(c) inserted by 2009 c. 26 s. 60(5)(c)
- s. 215(2A) inserted by 2017 c. 22 s. 27(3)
- s. 215(9)(10) inserted by 2017 c. 22 s. 27(9)
- s. 215A-215D inserted by 2009 c. 26 s. 60(2)
- s. 217(1)(c) (d) inserted by 2009 c. 26 s. 57(4)(a)
- s. 230(2)(f) words substituted by 2017 c. 22 Sch. 5 para. 27(2)
- s. 230(2)(ea) inserted by 2017 c. 22 s. 34(4)(a)
- s. 230(3)(c) inserted by 2017 c. 22 Sch. 5 para. 27(3)(c)
- s. 230(3)(d)-(f) inserted by 2017 c. 22 s. 34(4)(c)
- s. 241(2A) inserted by 2017 c. 22 s. 13(2)
- s. 241A inserted by 2017 c. 22 s. 13(3)
- s. 245ZA inserted by 2017 c. 22 s. 29(2)
- s. 255G-255I inserted by 2015 c. 9 s. 23(2)
- s. 266(8ZA) inserted by 2017 c. 22 s. 29(3)
- s. 267(3)(ba) inserted by 2017 c. 22 s. 29(4)
- s. 269A inserted by 2017 c. 22 s. 29(5)
- s. 278(7A) inserted by 2017 c. 22 Sch. 5 para. 30(4)
- s. 282CA inserted by 2015 c. 9 s. 23(3)
- s. 289(6)(f)-(h) inserted by 2017 c. 22 s. 14(1)
- s. 289(7A)-(7C) inserted by 2017 c. 22 s. 14(2)
- s. 290(4)(aa) inserted by 2017 c. 22 Sch. 1 para. 12(2)
- s. 290(4)(ab) inserted by 2017 c. 22 s. 34(6)
- s. 290(4)(ba) inserted by 2017 c. 22 s. 31(4)
- s. 290(6A) inserted by 2017 c. 22 Sch. 5 para. 32(3)
- s. 292(2A) inserted by 2017 c. 22 Sch. 1 para. 14(3)
- s. 297A(6)(ba) inserted by 2017 c. 22 Sch. 1 para. 19(b)
- s. 297A(6)(bb) inserted by 2017 c. 22 s. 34(7)
- s. 302(7A)(da) inserted by 2016 anaw 6 s. 186(3)
- s. 302(7ZA) inserted by 2017 c. 22 Sch. 1 para. 23
- s. 302(7ZB) inserted by 2017 c. 22 s. 34(8)
- s. 306(3)(ca) inserted by 2017 c. 22 s. 34(10)
- s. 311(2A)(2B) inserted by 2017 c. 22 Sch. 5 para. 34(2)
- s. 311(7)(d) inserted by S.I. 2016/1034 Sch. 1 para. 25(6)(b)(ii)
- s. 312(2)(k)-(p) inserted by 2017 c. 22 Sch. 5 para. 35
- s. 316(10) inserted by 2017 c. 22 Sch. 5 para. 36(3)
- s. 333D(1)(aa)(ab) inserted by 2017 c. 22 Sch. 5 para. 37(2)(b)

- s. 333D(1A) inserted by 2017 c. 22 Sch. 5 para. 37(3)
- s. 335(6A) inserted by 2017 c. 22 s. 10(2)
- s. 335(8A) inserted by 2017 c. 22 s. 10(3)
- s. 336A-336D inserted by 2017 c. 22 s. 10(4)
- s. 339ZB-339ZG inserted by 2017 c. 22 s. 11
- s. 339ZH-339ZK and cross-heading inserted by 2017 c. 22 s. 12
- s. 339ZI applied by SI 2003/425 art. 12A(3) (as inserted) by S.I. 2017/1280 Sch. para. 3
- s. 339ZI applied by SI 2003/425 art. 12B(3) (as inserted) by S.I. 2017/1280 Sch. para. 3
- s. 339ZI applied by SI 2003/425 art. 22A(3) (as inserted) by S.I. 2017/1280 Sch. para. 4
- s. 339ZI applied by SI 2003/425 art. 22B(3) (as inserted) by S.I. 2017/1280 Sch. para. 4
- s. 339ZI applied by SI 2003/425 art. 32A(3) (as inserted) by S.I. 2017/1280 Sch. para. 5
- s. 339ZI applied by SI 2003/425 art. 32B(3) (as inserted) by S.I. 2017/1280 Sch. para. 5
- s. 340(15) inserted by 2017 c. 22 Sch. 5 para. 38
- s. 341(1)(c) inserted by 2015 c. 9 s. 38(1)
- s. 341(1)(c) words inserted by 2017 c. 22 s. 33
- s. 341(3)(e) and word inserted by 2017 c. 22 Sch. 5 para. 39(2)(c)
- s. 341(3B)(3C) inserted by 2017 c. 22 Sch. 5 para. 39(3)
- s. 346(2)(bc)-(bf) inserted by 2017 c. 22 Sch. 5 para. 44
- s. 351(5)(5A) substituted for s. 351(5) by 2017 c. 22 Sch. 5 para. 46
- s. 352(5)(ca)(cb) inserted by 2017 c. 22 Sch. 5 para. 47(3)(d)
- s. 353(2)(bc)-(bf) inserted by 2017 c. 22 Sch. 5 para. 48(2)
- s. 353(7C)-(7F) inserted by 2017 c. 22 Sch. 5 para. 48(4)
- s. 353(10)(ca)(cb) inserted by 2017 c. 22 Sch. 5 para. 48(5)(d)
- s. 353(11) words inserted by S.I. 2018/285 reg. 5(g)
- s. 353(11) words substituted by 2017 c. 22 Sch. 5 para. 48(6)
- s. 356A inserted by 2017 c. 22 s. 22
- s. 357(3)(ba) inserted by 2017 c. 22 s. 7(2)(c)
- s. 357(7)(ba) inserted by 2017 c. 22 s. 7(2)(d)(ii)
- s. 358(2)(ba) inserted by 2017 c. 22 s. 7(3)
- s. 362(4A)(4AA) substituted for s. 362(4A) by 2017 c. 22 s. 7(4)(a)
- s. 362(6) inserted by 2017 c. 22 s. 7(4)(b)
- s. 362A-362I and cross-heading inserted by 2017 c. 22 s. 1
- s. 362J-362R and cross-heading inserted by 2017 c. 22 s. 2
- s. 362S 362T and cross-heading inserted by 2017 c. 22 s. 3
- s. 369(5)(5A) substituted for s. 369(5) by 2017 c. 22 Sch. 5 para. 53(2)
- s. 375(4)(4A) substituted for s. 375(4) by 2017 c. 22 Sch. 5 para. 55
- s. 375A(5)(ba)(bb) inserted by 2017 c. 22 Sch. 5 para. 56(3)
- s. 375B(3)(ba)(bb) inserted by 2017 c. 22 Sch. 5 para. 57
- s. 377(1)(g) inserted by 2017 c. 22 Sch. 5 para. 58(2)
- s. 377(2A) inserted by 2017 c. 22 Sch. 5 para. 58(3)
- s. 378(1)(ca) inserted by 2017 c. 22 Sch. 1 para. 25(2)
- s. 378(2)(ba) inserted by 2017 c. 22 Sch. 1 para. 25(3)
- s. 378(3)(3ZA) substituted for s. 378(3) by 2017 c. 22 s. 19(3)
- s. 378(3)(d) inserted by 2017 c. 22 s. 20(4)
- s. 378(3A)(aa) inserted by 2017 c. 22 Sch. 1 para. 25(4)
- s. 378(3C)-(3F) inserted by 2017 c. 22 Sch. 5 para. 59
- s. 378(3AA)(aa) inserted by 2017 c. 22 Sch. 1 para. 25(5)
- s. 378(3ZA)(c) inserted by 2017 c. 22 s. 20(5)
- s. 378(4)(ba) inserted by 2017 c. 22 Sch. 1 para. 25(6)
- s. 378(6)(aa) inserted by 2017 c. 22 Sch. 1 para. 25(7)
- s. 378(9) inserted by 2017 c. 22 s. 20(6)
- s. 381(2)(bc)-(bf) inserted by 2017 c. 22 Sch. 5 para. 61

- s. 388(2)(bc)-(bf) inserted by 2017 c. 22 Sch. 5 para. 65(2)
- s. 388(7C)-(7F) inserted by 2017 c. 22 Sch. 5 para. 65(4)
- s. 391(3)(aa) inserted by 2017 c. 22 s. 8(2)(c)
- s. 392(2)(aa) inserted by 2017 c. 22 s. 8(3)
- s. 396A-396I and cross-heading inserted by 2017 c. 22 s. 4
- s. 396J-396S inserted by 2017 c. 22 s. 5
- s. 396T-396U and cross-heading inserted by 2017 c. 22 s. 6
- s. 408A(5)(c)(d) inserted by 2017 c. 22 Sch. 5 para. 70(3)
- s. 408B(3)(c)(d) inserted by 2017 c. 22 Sch. 5 para. 71
- s. 412A words inserted by 2017 c. 22 Sch. 5 para. 74
- s. 414(3)(za) inserted by 2017 c. 22 Sch. 5 para. 75
- s. 416(3B) inserted by 2017 c. 22 Sch. 5 para. 76(5)
- s. 416(7ZA) inserted by 2017 c. 22 Sch. 5 para. 76(7)
- s. 420 title substituted by S.I. 2016/1034 Sch. 1 para. 25(8)
- s. 434(1)(f) inserted by S.I. 2016/1034 Sch. 1 para. 25(12)(a)(ii)
- s. 435(4)(d)(e) inserted by 2017 c. 22 Sch. 5 para. 77(5)(c)
- s. 436(5)(i) inserted by 2017 c. 22 Sch. 5 para. 78(4)
- s. 439(5)(i) inserted by 2017 c. 22 Sch. 5 para. 81(3)
- s. 442A inserted by 2018 c. 12 Sch. 19 para. 85
- s. 443(1)(ca) inserted by 2017 c. 22 Sch. 5 para. 83
- s. 444(3)(aa) inserted by 2017 c. 22 s. 24(2)
- s. 445A inserted by 2017 c. 22 s. 9
- s. 453(1A) inserted by 2016 anaw 6 s. 186(4)
- s. 453A(5)(da)-(dc) inserted by 2017 c. 22 Sch. 5 para. 86
- s. 453B inserted by 2017 c. 22 s. 23
- s. 453C inserted by 2017 c. 22 s. 25
- s. 454A inserted by 2017 c. 22 Sch. 1 para. 26
- s. 459(3A) inserted by 2015 c. 9 s. 19(2)(a)
- s. 459(3A) words inserted by 2017 c. 22 Sch. 5 para. 87(2)
- s. 459(4)(aza) inserted by 2017 c. 22 Sch. 5 para. 87(3)
- s. 459(4)(aa) inserted by 2016 anaw 6 s. 186(5)(a)
- s. 459(4A) inserted by 2016 anaw 6 s. 186(5)(b)
- s. 459(6ZA)(6ZB) inserted by 2017 c. 22 Sch. 5 para. 87(6)
- s. 459(7BA) inserted by 2017 c. 22 Sch. 5 para. 87(10)
- s. 460(3)(c) and word inserted by 2017 c. 22 Sch. 5 para. 88(b)
- Sch. 2 para. 3A inserted by 2015 c. 30 s. 7(2)
- Sch. 2 para. 4(4) inserted by 2015 c. 30 s. 7(3)(b)
- Sch. 2 para. 1A inserted by 2016 c. 2 Sch. 5 para. 2(2)
- Sch. 3 para. 6(3)-(5) substituted for Sch. 3 para. 6(3) by 2017 c. 22 s. 30(3)
- Sch. 4 para. 4A inserted by 2015 asp 12 s. 15(b)
- Sch. 4 para. 2A inserted by 2016 c. 2 Sch. 5 para. 2(3)
- Sch. 5 para. 1A inserted by 2016 c. 2 Sch. 5 para. 2(4)
- Sch. 9 para. 1(1)(b)(ia) inserted by S.I. 2017/692 Sch. 7 para. 6(4)(a)(iii)
- Sch. 9 para. 1(1)(ja) inserted by S.I. 2017/692 Sch. 7 para. 6(4)(b)
- Sch. 9 para. 2(1)(g)(h) inserted by S.I. 2017/692 Sch. 7 para. 6(7)(c)
- Sch. 9 para. 4(2)(da) inserted by S.I. 2017/692 Sch. 7 para. 6(9)(b)(i)