



# Proceeds of Crime Act 2002

## 2002 CHAPTER 29

### PART 8

#### INVESTIGATIONS

#### CHAPTER 2

##### ENGLAND AND WALES AND NORTHERN IRELAND

##### *[<sup>F1</sup>Unexplained wealth orders*

##### **[<sup>F1</sup>362G Disclosure of information, copying of documents, etc**

- (1) An unexplained wealth order has effect in spite of any restriction on the disclosure of information (however imposed).
- (2) But subsections (1) to (5) of section 361 (rights in connection with privileged information, questions and material) apply in relation to requirements imposed by an unexplained wealth order as they apply in relation to requirements imposed under a disclosure order.
- (3) The enforcement authority may take copies of any documents produced by the respondent [<sup>F2</sup>or any specified responsible officer] in connection with complying with the requirements imposed by an unexplained wealth order.
- (4) Documents so produced may also be retained for so long as it is necessary to retain them (as opposed to a copy of them) in connection with an investigation of a kind mentioned in section 341 in relation to the property in respect of which the unexplained wealth order is made.
- (5) But if the enforcement authority has reasonable grounds to believe that the documents—
  - (a) may need to be produced for the purposes of any legal proceedings, and
  - (b) might otherwise be unavailable for those purposes,

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**Changes to legislation:** Proceeds of Crime Act 2002, Section 362G is up to date with all changes known to be in force on or before 12 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

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they may be retained until the proceedings are concluded.]

#### Textual Amendments

- F1** Ss. 362A-362I and cross-heading inserted (27.4.2017 for specified purposes, 31.1.2018 for E.W. in so far as not already in force, 28.6.2021 for N.I. in so far as not already in force) by [Criminal Finances Act 2017 \(c. 22\)](#), [ss. 1, 58\(1\)\(6\)](#) (as amended (N.I.) (31.12.2020) by [S.I. 2019/742](#), regs. 1, [109\(2\)](#); 2020 c. 1, [Sch. 5 para. 1\(1\)](#)); [S.I. 2018/78](#), [reg. 3\(a\)](#); [S.I. 2021/724](#), [reg. 2\(1\)\(a\)](#)
- F2** Words in s. 362G(3) inserted (15.5.2022) by [Economic Crime \(Transparency and Enforcement\) Act 2022 \(c. 10\)](#), [ss. 45\(10\)](#), 69(1); [S.I. 2022/519](#), regs. 1(3), 2

**Changes to legislation:**

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**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):

- s. 13(5)(a)(iia) inserted by [2015 c. 30 Sch. 5 para. 15\(3\)\(d\)](#)
- s. 323(1)(hc) inserted by [2023 c. 20 Sch. para. 45\(2\)](#)
- s. 323(4)(ec) inserted by [2023 c. 20 Sch. para. 45\(3\)](#)
- s. 323(5)(ec) inserted by [2023 c. 20 Sch. para. 45\(4\)](#)