
STATUTORY INSTRUMENTS

2002 No. 3133

The Proceeds of Crime Act 2002 (Enforcement in different parts of the United Kingdom) Order 2002

PART IV

ENFORCEMENT OF ENGLISH, WELSH AND SCOTTISH ORDERS IN NORTHERN IRELAND

Restraint orders

13.—(1) Any English or Welsh restraint order or Scottish restraint order has effect in Northern Ireland.

(2) Proceedings for or with respect to the enforcement or contravention of an English or Welsh restraint order or a Scottish restraint order may only be taken if the order is registered in accordance with article 16.

Administrators and receivers

14.—(1) Any English or Welsh receivership order or Scottish administration order has effect in Northern Ireland and the functions of—

- (a) a receiver appointed in pursuance of Part 2 of the Act; and
- (b) an administrator appointed in pursuance of Part 3 of the Act,

are exercisable in Northern Ireland.

(2) Proceedings for or with respect to the enforcement or contravention of a English or Welsh receivership order or a Scottish administration order may only be taken if the order is registered in accordance with article 16.

Enforcement

15.—(1) If any order is registered in accordance with article 16—

- (a) the High Court in Northern Ireland shall have, in relation to its enforcement, the same power;
- (b) proceedings for or with respect to its enforcement may be taken; and
- (c) proceedings for or with respect to any contravention of the order may be taken,

as if the High Court in Northern Ireland had made the order itself.

(2) Paragraph (1) shall have effect whether the contravention of the order occurs before or after the registration of the order.

Registration

16.—(1) Where an application for the registration of an English or Welsh receivership order, an English or Welsh restraint order, a Scottish administration order or a Scottish restraint order is made to the High Court in Northern Ireland, the High Court must direct that the order be registered in that court.

(2) Where the High Court has directed that an order be registered, it may make such order as it believes is appropriate for the purpose of—

- (a) ensuring that the order is effective; or
- (b) assisting an administrator appointed in pursuance of Part 3 of the Act or a receiver appointed in pursuance of Part 2 of the Act to exercise his functions.

Supplementary

17.—(1) Section 195 of the Act (which makes provision about land registration) applies in relation to restraint orders made under section 41(1) of the Act and section 120(1) of the Act as it applies in relation to restraint orders made under section 190(1) of the Act.

(2) A document purporting to be a copy of an English or Welsh receivership order, an English or Welsh restraint order, a Scottish administration order or a Scottish restraint order and certified as such by a proper officer of the court which made the order is admissible in evidence in the High Court in Northern Ireland without further proof.