
STATUTORY INSTRUMENTS

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

Made - - - - 29th October 2015
Laid before Parliament 5th November 2015
Coming into force - - 30th November 2015

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(1).

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(2) 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(3)”;
- (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”;

(1) 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.

(2) S.I. 2012/138.

(3) Section 24B was inserted by article 12 of S.I. 2015/1750.

- (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”;
 - (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(4)”.
- (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.