
STATUTORY INSTRUMENTS

1996 No. 1299

The Proceeds of Crime (Northern Ireland) Order 1996

PART II

CONFISCATION ORDERS

Proceedings in connection with confiscation orders where defendant has died or absconded

Effect of conviction where High Court has acted under Article 24

25.—(1) Where, in the case of any defendant, the High Court has made a confiscation order under Article 24, the Crown Court shall, in respect of the offence or, as the case may be, any of the offences concerned—

- (a) take account of the order before—
 - (i) imposing any fine on the defendant;
 - (ii) making any order involving any payment by him; or
 - (iii) making any order under section 27 of the Misuse of Drugs Act 1971 (forfeiture orders) or Article 11 of the Criminal Justice (Northern Ireland) Order 1994 (deprivation orders); and
- (b) subject to sub-paragraph (a), leave the order out of account in determining the appropriate sentence or other manner of dealing with him.

(2) Where the High Court has made a confiscation order under Article 24 and the defendant subsequently appears before the Crown Court in respect of one or more of the offences concerned, Article 8(1) shall not apply so far as his appearance is in respect of that offence or those offences.