

These notes refer to the Serious Organised Crime and Police Act 2005 (c.15) which received Royal Assent on 7th April 2005

SERIOUS ORGANISED CRIME AND POLICE ACT 2005

EXPLANATORY NOTES

THE ACT

Commentary on Sections

Chapter 6: Proceeds of Crime

Section 102: Money laundering: defence where overseas conduct is legal under local law

224. **Section 102** amends the three principal money laundering offences in sections 327-329 of the Proceeds of Crime Act 2002 and the offences of failure to disclose money laundering in sections 330-332. The amendments provide a defence to these offences where the person knows, or believes on reasonable grounds, that the relevant criminal conduct occurred in a country or territory outside the United Kingdom, and where the criminal conduct was not unlawful under the criminal law applying in that country or territory at the time it occurred. This defence will not apply where the relevant conduct is of a type described by an order made by the Secretary of State.