



# Criminal Finances Act 2017

## 2017 CHAPTER 22

### PART 1

#### PROCEEDS OF CRIME

### CHAPTER 1

#### INVESTIGATIONS

*Unexplained wealth orders: England and Wales and Northern Ireland*

### 3 External assistance

After section 362R of the Proceeds of Crime Act 2002 (inserted by section 2 above) insert—

*“Unexplained wealth orders: enforcement abroad*

#### **362S Enforcement abroad: enforcement authority**

- (1) This section applies if—
  - (a) the High Court makes an unexplained wealth order in respect of any property,
  - (b) it appears to the enforcement authority that the risk mentioned in section 362J(2) applies in relation to the property, and
  - (c) the enforcement authority believes that the property is in a country outside the United Kingdom (the receiving country).
- (2) The enforcement authority may send a request for assistance in relation to the property to the Secretary of State with a view to it being forwarded under this section.

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*Status: This is the original version (as it was originally enacted).*

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- (3) The Secretary of State may forward the request for assistance to the government of the receiving country.
- (4) A request for assistance under this section is a request to the government of the receiving country—
  - (a) to secure that any person is prohibited from dealing with the property;
  - (b) for assistance in connection with the management of the property, including with securing its detention, custody or preservation.

### **362T Enforcement abroad: receiver**

- (1) This section applies if—
  - (a) an interim freezing order has effect in relation to property, and
  - (b) the receiver appointed under section 362N in respect of the property believes that it is in a country outside the United Kingdom (the receiving country).
- (2) The receiver may send a request for assistance in relation to the property to the Secretary of State with a view to it being forwarded under this section.
- (3) The Secretary of State must forward the request for assistance to the government of the receiving country.
- (4) A request for assistance under this section is a request to the government of the receiving country—
  - (a) to secure that any person is prohibited from dealing with the property;
  - (b) for assistance in connection with the management of the property, including with securing its detention, custody or preservation.”