
STATUTORY INSTRUMENTS

2014 No. 3141

The Criminal Justice and Data Protection
(Protocol No. 36) Regulations 2014

PART 2

Proceeds of Crime (Foreign Property and Foreign Orders)

CHAPTER 5

Notification, communication etc., and application to saved orders

England and Wales

Saved restraint orders

19.—(1) Chapter 2 of this Part applies in relation to a saved order under—

- (a) section 77 of the Criminal Justice Act 1988⁽¹⁾ (restraint orders), or
- (b) section 26 of the Drug Trafficking Act 1994⁽²⁾ (restraint orders),

as it applies in relation to a restraint order under section 41 of the 2002 Act (restraint orders).

(2) Accordingly, a reference in Chapter 2 of this Part to a domestic restraint order includes a reference to a saved order of either of those kinds.

(3) A reference in this regulation to a saved order is a reference to an order as it continues to have effect by virtue of articles 5 and 10 of the Proceeds of Crime Act 2002 (Commencement No 5, Transitional Provisions, Savings and Amendment) Order 2003⁽³⁾ (transitional provision and savings: England and Wales).

Saved confiscation orders

20.—(1) Chapter 2 of this Part applies to a saved order under—

- (a) section 71 of the Criminal Justice Act 1988⁽⁴⁾ (confiscation orders), or
- (b) section 2 of the Drug Trafficking Act 1994⁽⁵⁾ (confiscation orders),

as it applies to an order under section 6 of the 2002 Act (making of order).

(1) [1988 c. 33](#); section 77 was repealed by sections 456 and 457 of, and paragraphs 1 and 17 of Schedule 11 and Schedule 12 to, the Proceeds of Crime Act 2002.

(2) [1994 c. 37](#); section 26 was repealed by sections 456 and 457 of, and paragraphs 1 and 25 of Schedule 11 and Schedule 12 to, the Proceeds of Crime Act 2002.

(3) [S.I. 2003/333 \(C. 20\)](#).

(4) Section 71 was repealed by sections 456 and 457 of, and paragraphs 1 and 17 of Schedule 11 and Schedule 12 to, the Proceeds of Crime Act 2002.

(5) Section 2 was repealed by sections 456 and 457 of, and paragraphs 1 and 25 of Schedule 11 and Schedule 12 to, the Proceeds of Crime Act 2002.

(2) Accordingly, a reference in Chapter 2 of this Part to a domestic confiscation order includes a reference to a saved order of either of those kinds.

(3) A reference in this regulation to a saved order is a reference to an order as it continues to have effect by virtue of articles 3 and 10 of the Proceeds of Crime Act 2002 (Commencement No 5, Transitional Provisions, Savings and Amendment) Order 2003 (transitional provision and savings: England and Wales).