



THE PROCEEDS OF CRIME RULES 1992

CATHERINE A. TIZARD, Governor-General

ORDER IN COUNCIL

At Wellington this 22nd day of June 1992

Present:

HER EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to section 90 of the Proceeds of Crime Act 1991, Her Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following rules.

RULES

1. Title and commencement—(1) These rules may be cited as the Proceeds of Crime Rules 1992.

(2) These rules shall come into force on the 1st day of July 1992.

2. Interpretation—(1) In these rules, unless the context otherwise requires, “the Act” means the Proceeds of Crime Act 1991.

(2) Expressions not defined in these rules but defined in the Act have, in these rules, the meanings so defined.

3. Form of order directing entry of note of application for forfeiture order—(1) An order made under section 11 of the Act directing any authority to enter on a register a note of the fact that an application has been made for a forfeiture order against property shall be in the form set out in the Schedule to these rules.

(2) Where any such order is made by a Court, the Registrar of the Court shall, as soon as practicable after the making of the order, cause a copy of the order to be delivered or posted to the authority to whom the direction contained in the order relates.

Rule 3

SCHEDULE

Form

ORDER DIRECTING ENTRY OF NOTE OF APPLICATION FOR FORFEITURE ORDER

Section 11 (1), Proceeds of Crime Act 1991

(Here insert general heading required by the High Court Rules or the District Courts Rules 1992, as appropriate)

WHEREAS on the _____ day of _____ 19____ the Solicitor-General applied to this Court for a forfeiture order against the following property: [Specify the property to which the application relates].

And whereas [Specify New Zealand enactment] provides for the registration of title to (or charges over) property of that kind.

Now, therefore, the Court, by this order, directs [Specify authority responsible for administering the New Zealand enactment specified in the preceding paragraph] to enter on the register a note of the fact that an application has been made under the Proceeds of Crime Act 1991 for a forfeiture order against the property.

Dated at _____, this _____ day of _____ 19____.

.....
High Court Judge/District Court Judge

BOB MacFARLANE,
Acting for Clerk of the Executive Council.

EXPLANATORY NOTE

This note is not part of the rules, but is intended to indicate their general effect.

These rules, which come into force on 1 July 1992, relate to proceedings under the Proceeds of Crime Act 1991. The rules prescribe a form for the purposes of orders made under section 11(1) of that Act, which relates to the notification of the making of an application for a forfeiture order in respect of property.

Issued under the authority of the Acts and Regulations Publication Act 1989.
Date of notification in *Gazette*: 25 June 1992.
These rules are administered in the Department of Justice.