

NORTHERN TERRITORY OF AUSTRALIA

CRIMINAL PROPERTY FORFEITURE AMENDMENT REGULATIONS 2012

Subordinate Legislation No. 31 of 2012

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NORTHERN TERRITORY OF AUSTRALIA

Subordinate Legislation No. 31 of 2012*

Criminal Property Forfeiture Amendment Regulations 2012

I, Sally Gordon Thomas, Administrator of the Northern Territory of Australia, acting with the advice of the Executive Council, make the following regulations under the *Criminal Property Forfeiture Act*.

Dated 31 July 2012

S. G. THOMAS
Administrator

By Her Honour's Command

P. R. HENDERSON
Chief Minister
acting for
Minister for Justice and Attorney-General

* Notified in the *Northern Territory Government Gazette* on 3 August 2012.

1 Citation

These Regulations may be cited as the *Criminal Property Forfeiture Amendment Regulations 2012*.

2 Regulations amended

These Regulations amend the *Criminal Property Forfeiture Regulations*.

3 Schedules 1 and 2 replaced

Schedules 1 and 2

repeal, insert

Schedule 1 Corresponding laws

regulation 2

Jurisdiction	Legislation
Commonwealth	<i>Proceeds of Crime Act 1987</i> <i>Proceeds of Crime Act 2002</i>
New South Wales	<i>Confiscation of Proceeds of Crimes Act 1989</i> <i>Criminal Assets Recovery Act 1990</i>
Queensland	<i>Criminal Proceeds Confiscation Act 2002</i>
South Australia	<i>Criminal Assets Confiscation Act 2005</i>
Tasmania	<i>Crime (Confiscation of Profits) Act 1993</i>
Victoria	<i>Confiscation Act 1997</i>
Western Australia	<i>Criminal Property Confiscation Act 2000</i>
Australian Capital Territory	<i>Confiscation of Criminal Assets Act 2003</i>

Schedule 2 Interstate forfeiture and restraining orders

regulation 3

Part A Interstate forfeiture orders

Jurisdiction	Type of order	Provision
New South Wales	forfeiture order	<i>Confiscation of Proceeds of Crimes Act 1989</i> , section 18
	drugs proceeds order	<i>Confiscation of Proceeds of Crimes Act 1989</i> , section 29
	assets forfeiture order	<i>Criminal Assets Recovery Act 1990</i> , section 22
Queensland	forfeiture order	<i>Criminal Proceeds Confiscation Act 2002</i> , section 151
	special forfeiture order	<i>Criminal Proceeds Confiscation Act 2002</i> , section 202
South Australia	forfeiture order	<i>Criminal Assets Confiscation Act 2005</i> , section 47 or 56
Tasmania	forfeiture order	<i>Crime (Confiscation of Profits) Act 1993</i> , section 16
Victoria	forfeiture order	<i>Confiscation Act 1997</i> , section 33 or 34
	automatic forfeiture of restrained property	<i>Confiscation Act 1997</i> , section 35
	declaration	<i>Confiscation Act 1997</i> , section 36
	civil forfeiture order	<i>Confiscation Act 1997</i> , section 37, 38 or 39
Western Australia	unexplained wealth declaration	<i>Criminal Property Confiscation Act 2000</i> , section 12
	criminal benefits declaration	<i>Criminal Property Confiscation Act 2000</i> , section 16
	crime-used property substitution declaration	<i>Criminal Property Confiscation Act 2000</i> , section 22

Jurisdiction	Type of order	Provision
	confiscable property declaration	<i>Criminal Property Confiscation Act 2000</i> , section 28 or 30
Australian Capital Territory	conviction forfeiture order	<i>Confiscation of Criminal Assets Act 2003</i> , section 54
	automatic forfeiture of restrained property	<i>Confiscation of Criminal Assets Act 2003</i> , section 58
	order declaring property automatically forfeited	<i>Confiscation of Criminal Assets Act 2003</i> , section 59 or 60
	civil forfeiture order	<i>Confiscation of Criminal Assets Act 2003</i> , section 67

Part B Interstate restraining orders

Jurisdiction	Type of order	Provision
New South Wales	restraining order	<i>Confiscation of Proceeds of Crimes Act 1989</i> , section 43
	restraining order	<i>Criminal Assets Recovery Act 1990</i> , section 10A or 12
Queensland	restraining order	<i>Criminal Proceeds Confiscation Act 2002</i> , section 122
	other orders made in relation to a restraining order	<i>Criminal Proceeds Confiscation Act 2002</i> , section 129 or 130
South Australia	restraining order	<i>Criminal Assets Confiscation Act 2005</i> , section 24
Tasmania	restraining order	<i>Crime (Confiscation of Profits) Act 1993</i> , section 26 or 30
Victoria	restraining order	<i>Confiscation Act 1997</i> , section 14 or 18
	civil forfeiture restraining order	<i>Confiscation Act 1997</i> , section 36M

Jurisdiction	Type of order	Provision
Western Australia	freezing notice	<i>Criminal Property Confiscation Act 2000</i> , section 34
	freezing order	<i>Criminal Property Confiscation Act 2000</i> , section 43
Australian Capital Territory	restraining order	<i>Confiscation of Criminal Assets Act 2003</i> , section 30 or 31

4 Schedule 3 heading replaced

Schedule 3 heading

omit, insert

Schedule 3 Forms