



New South Wales

Criminal Assets Recovery Amendment Act 2014 No 9

Contents

	Page
1 Name of Act	2
2 Commencement	2
Schedule 1 Amendment of Criminal Assets Recovery Act 1990 No 23	3



New South Wales

Criminal Assets Recovery Amendment Act 2014 No 9

Act No 9, 2014

An Act to amend the *Criminal Assets Recovery Act 1990* to make further provision with respect to the recovery of proceeds of illegal activities from persons associated with the perpetrators, and for other purposes. [Assented to 14 May 2014]

See also the *Mining and Petroleum Legislation Amendment Act 2014*.

The Legislature of New South Wales enacts:

1 Name of Act

This Act is the *Criminal Assets Recovery Amendment Act 2014*.

2 Commencement

This Act commences on the date of assent to this Act.

Schedule 1 Amendment of Criminal Assets Recovery Act 1990 No 23

[1] Section 4 Definitions

Insert “(including, without limitation, an increase in the value of an interest in property)” after “benefit” in the definition of *proceeds* in section 4 (1).

[2] Section 4 (1), definition of “proceeds”

Omit paragraph (b). Insert instead:

- (b) by another person if the person engaged in the activity:
 - (i) intended for the other person to derive or realise (whether directly or indirectly) the interest, service, advantage or benefit, or
 - (ii) knew, or ought reasonably to have known, that the other person would be likely to derive or realise (whether directly or indirectly) the interest, service, advantage or benefit.

[3] Schedule 1 Savings and transitional provisions

Insert at the end of clause 1 (1):

any other Act that amends this Act

[4] Schedule 1, Part 6

Insert after Part 5:

Part 6 Criminal Assets Recovery Amendment Act 2014

26 Application of amendments

- (1) The amendments made to this Act by the *Criminal Assets Recovery Amendment Act 2014* extend to:
 - (a) activities engaged in, and to proceeds that were derived or realised, before the commencement of those amendments, and
 - (b) applications for orders under this Act made (but not yet determined) before the commencement of those amendments.
- (2) Nothing in those amendments affects the validity of any order made under this Act before the commencement of the amendments.

[Second reading speech made in—

Legislative Assembly on 25 February 2014

Legislative Council on 7 May 2014]