



New South Wales

Criminal Assets Recovery Amendment (Interstate Orders) Regulation 2016

under the

Criminal Assets Recovery Act 1990

His Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Criminal Assets Recovery Act 1990*.

TROY GRANT, MP
Minister for Justice and Police

Explanatory note

The objects of this Regulation are as follows:

- (a) to prescribe the *Confiscation Act 1997* of Victoria (*the Victorian Act*) as a law that corresponds to the *Criminal Assets Recovery Act 1990*,
- (b) to declare declarations in force under section 36GB or 40ZB of the Victorian Act that property has been forfeited, made in relation to serious drug offences or unexplained wealth, respectively, to be interstate assets forfeiture orders for the purposes of the *Criminal Assets Recovery Act 1990*,
- (c) to declare restraining orders in force under section 18 of the Victorian Act, and unexplained wealth restraining orders in force under section 40I of that Act, to be interstate restraining orders for the purposes of the *Criminal Assets Recovery Act 1990*.

This Regulation is made under the *Criminal Assets Recovery Act 1990*, including sections 4 (1) (the definitions of *corresponding law*, *interstate assets forfeiture order* and *interstate restraining order*) and 67 (the general regulation-making power).

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Criminal Assets Recovery Act 1990

1 Name of Regulation

This Regulation is the *Criminal Assets Recovery Amendment (Interstate Orders) Regulation 2016*.

2 Commencement

This Regulation commences on the day on which it is published on the NSW legislation website.

3 Amendment of Criminal Assets Recovery Regulation 2012

(1) Clause 3 Definitions

Insert in alphabetical order in clause 3 (1):

the Victorian Act means the *Confiscation Act 1997* of Victoria.

(2) Clause 8 Corresponding laws

Insert after clause 8 (e):

(e1) the Victorian Act,

(3) Clause 9 Interstate assets forfeiture orders

Insert after clause 9 (e):

(e1) a declaration in force under section 36GB or 40ZB of the Victorian Act,

(4) Clause 11 Interstate restraining orders

Insert after clause 11 (e):

(e1) an order in force under section 18 or 40I of the Victorian Act,