



STATUTORY INSTRUMENTS  
F.R.L.I.  
1996B02599

Statutory Rules 1993 No. L<sup>1</sup>

1999/

## Proceeds of Crime Regulations<sup>2</sup> (Amendment)

I, THE GOVERNOR-GENERAL of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following Regulations under the *Proceeds of Crime Act 1987*.

Dated L 1993.

13 July

L BILL HAYDEN/  
Governor-General

By His Excellency's Command,

L  
Minister for Justice

D. KERR

### 1. Amendment

1.1 The Proceeds of Crime Regulations are amended as set out in these Regulations.

[NOTE: These Regulations commence on gazettal: see *Acts Interpretation Act 1901*, s. 48.]

**2. Regulation 3 (Declaration of State laws—definition of “corresponding law”)**

## 2.1 Paragraph 3 (a):

Omit the paragraph, substitute:

“(a) Crimes (Confiscation of Profits) Act 1985 of New South Wales;

“(aa) Drug Trafficking (Civil Proceedings) Act 1990 of New South Wales;”.

## 2.2 Add at the end:

“; (h) *Proceeds of Crime Act 1991* of the Australian Capital Territory.”.

**3. Regulation 3B (What is a GBE?)**

## 3.1 Paragraph 3B (a):

Omit the paragraph.

## 3.2 Paragraphs 3B (d) and (e):

Omit the paragraphs, substitute:

“(d) the Australian Postal Corporation;

(e) ANL Limited;”.

## 3.3 Paragraphs 3B (k) and (l):

Omit the paragraphs, substitute:

“(k) the Pipeline Authority.”.

**4. Regulation 4 (Declaration of orders—definition of “interstate forfeiture order”)**

## 4.1 Paragraph 4 (a):

Omit the paragraph, substitute:

“(a) forfeiture orders under subsection 5 (1) of the Crimes (Confiscation of Profits) Act 1985 of New South Wales;

(aa) assets forfeiture orders under section 22 of the Drug Trafficking (Civil Proceedings) Act 1990 of New South Wales;”.

## 4.2 Add at the end:

“; (h) forfeiture orders under subsection 19 (1) of the *Proceeds of Crime Act 1991* of the Australian Capital Territory.”.

**5. Regulation 5 (Declaration of orders—definition of “interstate pecuniary penalty order”)**

5.1 Paragraph 5 (a):

Omit the paragraph, substitute:

- “(a) pecuniary penalty orders under subsection 10 (1) of the Crimes (Confiscation of Profits) Act 1985 of New South Wales;
- (aa) proceeds assessment orders under section 27 of the Drug Trafficking (Civil Proceedings) Act 1990 of New South Wales;”.

5.2 Add at the end:

- “; (g) pecuniary penalty orders under subsection 25 (1) of the *Proceeds of Crime Act 1991* of the Australian Capital Territory.”.

**6. Regulation 6 (Declaration of orders—definition of “interstate restraining order”)**

6.1 Paragraph 6 (a):

Omit the paragraph, substitute:

- “(a) restraining orders under subsection 12 (2) of the Crimes (Confiscation of Profits) Act 1985 of New South Wales;
- (aa) restraining orders under section 10 of the Drug Trafficking (Civil Proceedings) Act 1990 of New South Wales;”.

6.2 Paragraph 6 (c):

Omit “subsection 16 (7)”, substitute “subsection 16 (3)”.

6.3 Add at the end:

- “; (h)restraining orders under subsection 45 (2) of the *Proceeds of Crime Act 1991* of the Australian Capital Territory.”.

**7. Regulation 8 (Remuneration of Official Trustee)**

7.1 Paragraph 8 (1) (b):

Omit “an Administrative Service Officer, Class 7”, substitute “a Senior Officer, Grade C”.

## 7.2 Subregulation 8 (2):

Omit “shall be taken to be”, substitute “is taken to be”.

**8. Regulation 11 (Notice by AFP of possible claims under the equitable sharing program)**

## 8.1 Subregulation 11 (1) (definition of “condemned goods”):

Omit “that Act”, substitute “the *Customs Act 1901*”.

## 8.2 Subregulation 11 (1) (definition of “narcotic goods” and “narcotic-related goods”):

Omit “that Act”, substitute “the *Customs Act 1901*”.

**9. Regulation 16 (Law enforcement projects—prescribed law enforcement agencies)**

## 9.1 Paragraph 16 (f):

Omit the paragraph, substitute:

“(f) AUSTRAC;”.

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**NOTES**

1. Notified in the *Commonwealth of Australia Gazette* on *K* 1993.
2. Statutory Rules 1987 No. 224 as amended by 1989 No. 236; 1991 No. 460.

*20 July/*