



## **Proceeds of Crime Amendment (Unexplained Wealth) Regulations 2020**

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I, General the Honourable David Hurley AC DSC (Retd), Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following regulations.

Dated 10 December 2020

David Hurley  
Governor-General

By His Excellency's Command

Peter Dutton  
Minister for Home Affairs

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## 1 Name

This instrument is the *Proceeds of Crime Amendment (Unexplained Wealth) Regulations 2020*.

## 2 Commencement

- (1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. The whole of this instrument	The day after this instrument is registered.	17 December 2020

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

- (2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

## 3 Authority

This instrument is made under the *Proceeds of Crime Act 2002*.

## 4 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

## Schedule 1—Amendments

### *Proceeds of Crime Regulations 2019*

#### **1 After subsection 20(1)**

Insert:

*Australian Capital Territory*

- (1A) For the purposes of the definition of *unexplained wealth legislation* in section 338 of the Act, the unexplained wealth legislation of the Australian Capital Territory is Part 7A of the *Confiscation of Criminal Assets Act 2003* (ACT), and the other provisions of that Act that relate to that Part.

Note: Section 11C of the Australian Capital Territory Act (which defines *serious criminal activity*) is an example of a provision that relates to Part 7A of that Act because Part 7A refers to that term.

#### **2 Schedule 2 (at the end of table 7)**

Add:

- |   |                             |  |
|---|-----------------------------|--|
| 3 | an unexplained wealth order | subsection 98D(1) of the <i>Confiscation of Criminal Assets Act 2003</i> |
|---|-----------------------------|--|

#### **3 Schedule 3 (at the end of table 7)**

Add:

- |   |   |  |
|---|---|--|
| 3 | an unexplained wealth restraining order | subsection 32A(2) of the <i>Confiscation of Criminal Assets Act 2003</i> |
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