

Approved form AF2002-122

made under the

Proceeds of Crime Act 1991

Proceeds of Crime Act 1991—Form 3

(see *Proceeds of Crime Regulations 1993*, reg 14 (2))

Australian Capital Territory

Proceeds of Crime Act 1991

Notice in relation to application under section 29 (1) for order in relation to interest in forfeited property previously the subject of restraining order

TO: The Attorney-General
Legislative Assembly for the Australian Capital Territory
1 Constitution Avenue
CANBERRA ACT 2601.
The Director of Public Prosecutions
AMP Building
Hobart Place
CANBERRA ACT 2601.

(*Full name of applicant*) of (*address*),
a person who claims an interest in the property specified in the schedule,
gives notice that application has been made under the *Proceeds of Crime Act 1991*, section 29 (1) for an order under that Act, section 29 (6) or (7) in relation to an interest that was forfeited to the Territory under that Act, section 28 (1).

The property to which this notice relates was forfeited under the *Proceeds of Crime Act 1991*, section 28 on _____ following the conviction within the meaning of section 5 of that Act of (*name of convicted person*) _____ before (*name of court*) _____ on _____ for a serious offence within the meaning of that Act, section 7 namely (*state offence(s)*) _____.

The applicant has applied to the court for an order in relation to the interest claimed—

- (a) declaring the nature, extent and value (for an order under the *Proceeds of Crime Act 1991*, section 29 (7) as at the time when the order is made) of the applicant's interest; and
- * (b) directing the Territory to transfer the interest to the applicant.
- * (c) declaring that there is payable by the Territory to the applicant an amount equal to the value of the interest as so declared by the court.
- * (d) declaring that the *Proceeds of Crime Act 1991*, section 28 shall cease to operate in relation to the interest if payment is made in accordance with that Act, section 31.

The application has been set down for *mention/*hearing in the (*name of court*) _____ on _____ at _____ *a.m./*p.m.

Schedule

The property to which this notice relates is as follows:
(*specify property*)

Dated:

.....
*Applicant giving notice/
*Lawyer

**Omit if not applicable*

Endnotes

- 1 This form was originally in the *Proceeds of Crime Regulations 1993*, schedule 2. Under amendments made by the *Legislation (Consequential Amendments) Act 2001*, the form was omitted from the regulations and became a form approved under the *Proceeds of Crime Act 1991*, section 95 (see amdt 1.3291, amdt 1.3293).
- 2 This republication includes amendments made under the *Legislation Act 2001*, part 11.3 (Editorial changes).

© Australian Capital Territory 2002