

Western Australia

**Crimes (Confiscation of Profits) (General)
Regulations 1994**

As at 20 Feb 1998

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Western Australia

Crimes (Confiscation of Profits) (General) Regulations 1994

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Schedule 1

NOTES

CRIMES (CONFISCATION OF PROFITS) ACT 1988

Crimes (Confiscation of Profits) (General) Regulations 1994

1. Citation

These regulations may be cited as the *Crimes (Confiscation of Profits) (General) Regulations 1994*.

2. Prescribed particulars of a restraining order (section 26 (1))

The following particulars are the particulars of a restraining order, not relating to land or to an interest in land, that must be recorded under section 26 (1) of the Act —

- (a) a description of the property which is the subject of the restraining order;
- (b) the name and the last known address of the registered proprietor of the property; and
- (c) certification by an appropriate officer of —
 - (i) the date of the order;
 - (ii) the Court which made the order; and
 - (iii) the action number of the application for the order.

3. Form of embargo notice prescribed (section 31A)

An embargo notice under section 31A of the Act shall be in the form of Form 1 in Schedule 1.

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4. Certain indictable offences prescribed as serious offences

For the purposes of the definition of “serious offence” in section 3 (1) of the Act (and without limiting paragraph (a) of that definition), an indictable offence against the laws of Western Australia of which a person is summarily convicted is a serious offence.

[Regulation 4 inserted in Gazette 20 February 1998 p.939.]

5. Certain indictable offences prescribed as serious drug offences

For the purposes of the definition of “serious drug offence” in section 3 (1) of the Act (and without limiting paragraph (a) of that definition), an offence against section 6 (1) or 7 (1) of the *Misuse of Drugs Act 1981* of which a person is summarily convicted is a serious drug offence.

[Regulation 5 inserted in Gazette 20 February 1998 p.939.]

Schedule 1

[regulation 3]

FORM 1

WESTERN AUSTRALIA

CRIMES (CONFISCATION OF PROFITS) ACT 1988

EMBARGO NOTICE

(Section 31A)

I,..... ,
[insert name and designation of police officer]

being authorized by Part 5 of the *Crimes (Confiscation of Profits) Act 1988* to seize the following property —

.....
.....
.....
.....
.....

[insert particulars of property]

which cannot, or cannot readily, be seized, or which I do not wish to seize,

give notice of an **EMBARGO** in respect of that property, under section 31A of the *Crimes (Confiscation of Profits) Act 1988*.

Crimes (Confiscation of Profits) (General) Regulations 1994

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THIS NOTICE was given to.....

.....
.....
.....

[insert name and address of possessor
of the property or of any other person
to whom notice is given]

on this day of 19..... .

.....
[name of police officer]

NOTE — The attention of the person to whom this notice is given is drawn to section 31A of the *Crimes (Confiscation of Profits) Act 1988*.

Notes

- ^{1.} This is a compilation of the *Crimes (Confiscation of Profits) (General) Regulations 1994* and includes the amendments referred to in the following Table.

Compilation table

Citation	Gazettal	Commencement
<i>Crimes (Confiscation of Profits) (General) Regulations 1994</i>	31 Mar 1994 pp.1441-2	31 Mar 1994
<i>Crimes (Confiscation of Profits) (General) Amendment Regulations 1998</i>	20 Feb 1998 p.939	20 Feb 1998