

Proceeds of Crime Repeal Regulations 2018

I, General the Honourable Sir Peter Cosgrove AK MC (Ret’d), Governor‑General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following regulations.

Dated 15 March 2018

Peter Cosgrove

Governor‑General

By His Excellency’s Command

Peter Dutton

Minister for Home Affairs

Minister for Immigration and Border Protection

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1 Name

This instrument is the *Proceeds of Crime Repeal Regulations 2018*.

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 March 2018 |

Note: This table relates only to the provisions of this instrument as originally made.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 1987*.

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Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.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

Proceeds of Crime Regulations 1987

1 The whole of the instrument

Repeal the instrument.

2 Transitional—*Proceeds of Crime Regulations 1987*

(1) Despite the repeal of the *Proceeds of Crime Regulations 1987* by this Schedule, the following provisions of those regulations, as in force immediately before the repeal, continue to apply as if the repeal had not happened:

(a) regulations 3A, 7A, 8, 9, 14 and 15;

(b) any other provisions of those regulations necessary for the effective operation of a provision mentioned in paragraph (a) of this subitem.

(2) Paragraphs 3A(c) and 7A(f) of the *Proceeds of Crime Regulations 1987*, as continued in force by subitem (1) of this item, apply as if the words “of these regulations (as in in force immediately before their repeal by the *Proceeds of Crime Repeal Regulations 2018*)” were added at the end of both paragraphs.

(3) Paragraph 7A(a) of the *Proceeds of Crime Regulations 1987*, as continued in force by subitem (1) of this item, applies as if the reference in that paragraph to “if the DPP gives the Official Trustee a copy of a notice referred to in regulation 13” were instead a reference to “if the DPP has given the Official Trustee a copy of a notice referred to in regulation 13 of these regulations (as in force immediately before their repeal by the *Proceeds of Crime Repeal Regulations 2018*)”.

(4) Regulation 14 of the *Proceeds of Crime Regulations 1987*, as continued in force by subitem (1) of this item, applies in relation to the prescribed annual management fee for 2018 and each later year as if:

(a) the reference in subregulation (1A) of that regulation to “payable on 27 December 2001, and for each subsequent year,” were instead a reference to “payable for 2018 and each later year”; and

(b) the reference in subregulation (2) of that regulation to “is payable on 27 December in each year, beginning on 27 December 1992” were instead a reference to “for a year is payable within 28 days after 27 December in that year”.