



An Bille um Fháлтаis ó Choireacht agus Nithe Gaolmhara, 2025
Proceeds of Crime and Related Matters Bill 2025

Mar a leasaíodh sa Roghchoiste um Dhlí agus Ceart, Gnóthaí Baile agus Imirce

As amended in the Select Committee on Justice, Home Affairs and Migration



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ACTS REFERRED TO

Companies Act 2014 (No. 38)
Criminal Assets Bureau Act 1996 (No. 31)
Criminal Assets Bureau Acts 1996 and 2005
Criminal Justice (Corruption Offences) Act 2018 (No. 9)
Criminal Justice (Money Laundering and Terrorist Financing) Act 2010 (No. 6)
Criminal Justice (Terrorist Offences) Act 2005 (No. 2)
Criminal Justice Act 1994 (No. 15)
Criminal Justice Act 2007 (No. 29)
National Archives Act 1986 (No. 11)
Policing, Security and Community Safety Act 2024 (No. 1)
Proceeds of Crime Act 1996 (No. 30)
Proceeds of Crime Acts 1996 to 2016
Taxes Consolidation Act 1997 (No. 39)



AN BILLE UM FHÁLTAIS Ó CHOIREACHT AGUS NITHE GAOLMHARA, 2025
PROCEEDS OF CRIME AND RELATED MATTERS BILL 2025

Bill

entitled

An Act to provide for the continued detention of property for the purposes of an investigation by the Criminal Assets Bureau in certain circumstances; to provide for the giving of payment freezing directions by a bureau officer, and the making of payment freezing orders by the District Court, in respect of funds in accounts in certain circumstances; to reduce the period of time an interlocutory order is required to be in place before a disposal order can be made in respect of certain property; to provide for the appointment of a receiver to deprive a person of the ongoing benefit and use of property in certain circumstances and for those and other purposes to amend the Proceeds of Crime Act 1996; to amend the National Archives Act 1986; to amend the Criminal Justice Act 1994; to amend the Criminal Assets Bureau Act 1996; to amend the Criminal Justice (Terrorist Offences) Act 2005; to amend the Criminal Justice (Corruption Offences) Act 2018; and to provide for related matters.

Be it enacted by the Oireachtas as follows:

PART 1

PRELIMINARY AND GENERAL

Short title, collective citations and commencement

1. (1) This Act may be cited as the Proceeds of Crime and Related Matters Act 2025.
- (2) The Proceeds of Crime Acts 1996 to 2016 and *Part 2* may be cited as the Proceeds of Crime Acts 1996 to 2025.
- (3) The Criminal Assets Bureau Acts 1996 and 2005 and *section 17* may be cited as the Criminal Assets Bureau Acts 1996 to 2025.
- (4) This Act shall come into operation on such day or days as the Minister for Justice, Home Affairs and Migration may by order or orders appoint generally or with reference to any particular purpose or provision and different days may be so appointed for different purposes or different provisions.

Definition

2. In this Act, “Principal Act” means the Proceeds of Crime Act 1996.

PART 2

AMENDMENT OF PRINCIPAL ACT

Amendment of section 1 of Principal Act

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3. Section 1 of the Principal Act is amended by—

(a) in subsection (1)—

(i) the insertion of the following definitions:

“ ‘account’ includes, in respect of funds that are crypto-assets, any mechanism by which a relevant provider holds crypto-assets in the name of one or more persons for the purposes of the provision of a crypto-asset service; 10

‘Act of 2010’ means the Criminal Justice (Money Laundering and Terrorist Financing) Act 2010;

‘Chief Bureau Officer’ has the same meaning as it has in the Criminal Assets Bureau Act 1996; 15

‘crypto-asset’ has the same meaning as it has in the markets in crypto-assets Regulation;

‘crypto-asset service’ has the same meaning as it has in the markets in crypto-assets Regulation; 20

‘crypto-asset service provider’ has the same meaning as it has in the markets in crypto-assets Regulation;

‘funds’ means money and crypto-assets;

‘markets in crypto-assets Regulation’ means Regulation (EU) 2023/1114 of the European Parliament and of the Council of 31 May 2023¹ on markets in crypto-assets, and amending Regulations (EU) No. 1093/2010 and (EU) No. 1095/2010 and Directives 2013/36/EU and (EU) 2019/1937; 25

‘payment freezing direction’ has the meaning assigned to it by section 1D(1); 30

‘payment freezing order’ has the meaning assigned to it by section 1E(1);

‘relevant provider’ means—

(a) a credit institution with the meaning of section 24 of the Act of 2010, 35

(b) a crypto-asset service provider, or

1 OJ No. L150, 9.6.2023, p. 40

- (c) a financial institution within the meaning of section 24 of the Act of 2010;
- ‘specified member’ means a member not below the rank of Chief Superintendent;”,
- (ii) the substitution of the following definition for the definition of “disposal order”:
- “ ‘disposal order’ has the meaning assigned to it by section 4(1);”,
- and
- (iii) the substitution of the following definition for the definition of “member”:
- “ ‘member’ means a member (within the meaning of the Policing, Security and Community Safety Act 2024) of An Garda Síochána;”,
- and
- (b) in subsection (1A)(a)(i), by the substitution of “any member” for “any member of the Garda Síochána”.

Amendment of section 1A of Principal Act

4. Section 1A of the Principal Act is amended—

- (a) by the insertion of the following subsections after subsection (2):
- “(2A) Where a further period of detention has been authorised under subsection (2), a judge of the District Court may, on application to him or her by a bureau officer in that behalf before the expiration of the period so authorised, authorise the continued detention of the property by the Criminal Assets Bureau for such further period, not exceeding 28 days, as is specified by the judge where that judge—
- (a) is satisfied of the matters set out in paragraphs (a) to (c) of that subsection, and
- (b) has reasonable grounds for believing that the property, in whole or in part, may, in the absence of an authorisation under this subsection, be disposed of or otherwise dealt with, or have its value diminished.
- (2B) Where an application has been made under subsection (2A) before the expiration of the period of detention authorised under subsection (2) but the application has not been determined before such expiration, that authorisation shall continue in force until that application is determined.
- (2C) Subject to subsections (2D) and (2E), a judge of the District Court may, on application to him or her by a bureau officer in that behalf, authorise the continued detention of the property for such further period, not exceeding 28 days, as is specified by the judge where—

- (a) in the case of the first such application, the application is made before the expiration of the period specified by a judge under subsection (2A), or
 - (b) in the case of a second or subsequent application under this subsection, the application concerned is made before the expiration of the further period specified in the last authorisation under this subsection. 5
- (2D) A judge of the District Court may authorise the continued detention of the property under subsection (2C) only where at the time of authorising he or she— 10
 - (a) is satisfied that the matters set out in paragraphs (a) to (c) of subsection (2) continue to apply, and
 - (b) has reasonable grounds for believing that the property, in whole or in part, may, in the absence of an authorisation under subsection (2C), be disposed of or otherwise dealt with, or have its value diminished. 15
- (2E) The aggregate time that property may be detained under this section shall not exceed 90 days.
- (2F) Where an application has been made under subsection (2C) before the expiration of the period of detention authorised under subsection (2A) or (2C), as the case may be, but the application has not been determined before such expiration, the authorisation shall continue in force until that application is determined. 20
- (2G) An application under subsection (2A) or (2C) shall—
 - (a) be made *ex parte*, and 25
 - (b) be heard otherwise than in public.
- (2H) An application under subsection (2A) may be made to a judge of the District Court assigned to the district in which the property was seized or is currently situated.
- (2I) An application under subsection (2C) may be made to a judge of the District Court assigned to the district in which— 30
 - (a) the property is currently situated, or
 - (b) in which the order was made in respect of the property concerned under subsection (2A).”,
- (b) in subsection (3), by the substitution of “authorisation under subsection (2)” for “authorisation”, 35
- (c) by the insertion of the following subsection after subsection (3):
 - “(3A) Where a judge of the District Court grants an authorisation under subsection (2A) or (2C), the Criminal Assets Bureau shall cause notice in writing of the granting of the authorisation to be given to— 40

- (a) each person to whom a notice was given by the Chief Bureau Officer under subsection (3), and
- (b) such other person or persons as the judge directs on the granting of the authorisation concerned.”,

and

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- (d) in subsection (6), by the substitution of “an authorisation under subsection (2)” for “an authorisation” in each place it occurs.

Insertion of sections 1D to 1J in Principal Act

- 5. The Principal Act is amended by the insertion of the following sections after section 1C:

“Payment freezing direction to relevant provider

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1D. (1) A bureau officer who is a member not below the rank of Superintendent may give a direction in writing (in this Act referred to as a ‘payment freezing direction’) to a relevant provider prohibiting the provider from permitting a relevant payment or transfer, specified in the direction, out of an account held with the provider during such period, not exceeding 7 days, as is specified in the direction where the bureau officer is satisfied that the direction is necessary to enable the Criminal Assets Bureau to carry out a preliminary investigation into whether or not there are reasonable grounds for suspecting that funds held in the account or intended to be held in the account, in whole or in part, directly or indirectly, constitute proceeds of crime.

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- (2) In this section and in section 1E, ‘relevant payment or transfer’, in relation to an account, means—

- (a) any payment or transfer out of the account, or

- (b) a payment or transfer out of an account that would have the effect of reducing the balance in that account below such limit as is specified—

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- (i) in the case of a payment freezing direction, in the direction, or

- (ii) in the case of a payment freezing order, in the order.

Application for payment freezing order

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1E. (1) A judge of the District Court may, on application by a bureau officer, make an order (in this Act referred to as a ‘payment freezing order’) prohibiting a relevant provider from permitting a relevant payment or transfer, specified in the order, out of an account held with the provider where the judge is satisfied on information on oath of a bureau officer who is a member that—

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- (a) there are reasonable grounds to suspect that funds held in the account or intended to be held in the account, in whole or in part, directly or indirectly, constitute proceeds of crime,

- (b) the Criminal Assets Bureau is carrying out an investigation into whether or not the funds held in the account or intended to be held

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in the account, in whole or in part, directly or indirectly, constitute proceeds of crime,

(c) there are reasonable grounds for believing that the funds, in whole or in part, may, in the absence of an order, be dissipated or otherwise dealt with, and 5

(d) the making of the order is necessary and proportionate for the purpose of the investigation or the recovery of proceeds of crime that may be identified, or both.

(2) An application for a payment freezing order shall—

(a) be made *ex parte* to a judge of the District Court assigned to the district in which the order is proposed to be served, and 10

(b) be heard otherwise than in public.

(3) A payment freezing order shall have effect for a period of 90 days from the date of the making of the order or such lesser period as may be specified in the order and may be made— 15

(a) subject to such exclusions or conditions as are specified in the order, and

(b) on more than one occasion in relation to the account concerned.

(4) The Criminal Assets Bureau shall cause a payment freezing order to be served on the relevant provider that is the subject of the order as soon as practicable after the order is made, subject to any directions of the judge of the District Court who made the order. 20

Notice to persons affected by payment freezing direction or payment freezing order

1F. (1) A bureau officer who gives a payment freezing direction or who, where a payment freezing order is made, applied for that order, shall ensure that any person whom the officer is aware is affected by that direction or order, as the case may be, is given notice in writing of the giving of the direction or making of the order as soon as practicable after the direction is given or the order is made, unless the officer is satisfied that— 25 30

(a) it is not reasonably practicable to ascertain the whereabouts of the person, or

(b) subject to subsection (3), there are reasonable grounds for believing that disclosure to the person would prejudice the investigation in respect of which the direction is given or the order is made. 35

(2) A relevant provider shall notify the Criminal Assets Bureau when it informs an account holder that there is a payment freezing direction or payment freezing order in place in respect of the account.

(3) Where the bureau officer becomes aware, by the operation of subsection (2) or otherwise, that a person affected is aware that a 40

payment freezing direction has been given or a payment freezing order has been made—

- (a) subsection (1)(b) shall cease to apply in respect of the person, and
 - (b) the bureau officer shall give a notice under subsection (1) to the person as soon as practicable after the officer becomes aware. 5
- (4) A notice given to a person under subsection (1) shall state—
- (a) subject to subsection (5), the reasons for the giving of the payment freezing direction or the making of the payment freezing order, as the case may be, and
 - (b) that the person may make an application under section 1G. 10
- (5) A statement under subsection (4) of the reasons for giving a payment freezing direction or the making of a payment freezing order shall not include details the disclosure of which there are reasonable grounds for believing would prejudice the investigation in respect of which the direction is given or the order is made. 15

Application to vary or revoke payment freezing direction or payment freezing order

- 1G.** (1) At any time when a payment freezing direction or a payment freezing order is in force, a judge of the District Court may, on application by a person affected by the direction or order concerned, on notice to the Criminal Assets Bureau, vary the direction, the order, any exclusions or conditions specified in accordance with section 1E(3)(b) in the order or both the order and exclusions or conditions, if satisfied that it is necessary to do so for the purpose of enabling the person— 20
- (a) to discharge the reasonable living and other necessary expenses (including legal expenses in, or in relation to, legal proceedings) incurred or to be incurred by or in respect of the person or the person's dependants, or 25
 - (b) to carry on a business, trade, profession or other occupation.
- (2) At any time when a payment freezing direction or a payment freezing order is in force, a judge of the District Court may revoke the direction or order concerned where the judge is satisfied, on the application of the Criminal Assets Bureau, or of a person affected by the direction or order concerned and on notice to the Criminal Assets Bureau, that— 30
- (a) in the case of the direction, it is no longer necessary to enable the Criminal Assets Bureau to carry out a preliminary investigation, or 35
 - (b) in the case of the order, any of the matters referred to in paragraphs (a) to (d) of section 1E(1) do not or no longer apply.
- (3) An application under subsection (1) or (2) shall be made to a judge of the District Court assigned to the district— 40
- (a) where the application relates to a payment freezing direction, where the direction was given, and

- (b) where the application relates to a payment freezing order, where the order was served.
- (4) Where a judge of the District Court varies or revokes a payment freezing direction or a payment freezing order under this section, the Criminal Assets Bureau shall cause notice in writing of the variation or revocation, as the case may be, to be given to the relevant provider that was the subject of the direction or order concerned as soon as practicable after the direction or order is varied or revoked, subject to any directions of the judge of the District Court concerned. 5
- Offence: failure to comply with payment freezing direction or payment freezing order** 10
- 1H.** (1) A relevant provider that fails to comply with a payment freezing direction or a payment freezing order is guilty of an offence and is liable on summary conviction to a class A fine or imprisonment for a term not exceeding 12 months, or both. 15
- (2) Where an offence is committed under subsection (1) by a relevant provider that is a body corporate and is proved to have been committed with the consent, connivance or approval of, or to be attributable to any wilful neglect on the part of, any director, manager, secretary or other officer of the body corporate or a person who was purporting to act in any such capacity, that person, as well as the body corporate, is guilty of an offence and shall be liable to be proceeded against and punished as if he or she were guilty of the first-mentioned offence. 20
- (3) Where the affairs of a body corporate are managed by its members, subsection (2) shall apply in relation to the acts and defaults of a member in connection with his or her functions of management as if he or she were a director, manager, secretary or other officer of the body corporate. 25
- Cessation of payment freezing direction or payment freezing order** 30
- 1I.** (1) A payment freezing direction shall cease to have effect on the earlier of—
- (a) the expiration of the period of time specified in the direction, or
- (b) where applicable, the date the court revokes the direction under section 1G. 35
- (2) A payment freezing order shall cease to have effect on the earliest of—
- (a) subject to subsection (3), the expiration of the period of time specified in the order,
- (b) where applicable, the date the court revokes the order under section 1G, or 40
- (c) where applicable, where an appeal against the refusal by the District Court to revoke the order is made to the Circuit Court and that Court upholds that appeal, the date that such appeal is upheld.

- (3) Where more than one payment freezing order is made in respect of an account, a reference to the expiration of the period of time specified in the order shall be taken to mean a reference to the expiration of the period of time specified in the last order so made in respect of that account.

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Compliance with payment freezing direction or payment freezing order not a breach of requirement imposed by law

- 1J.** An act or omission by a person for the purpose of compliance with a payment freezing direction or a payment freezing order shall not be treated for any purpose as a breach of any obligation, requirement or restriction (howsoever described) imposed by or under any enactment or rule of law.”.

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Amendment of section 2 of Principal Act

- 6.** Section 2(1) of the Principal Act is amended by the substitution of “a specified member” for “a member”.

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Amendment of section 3 of Principal Act

- 7.** Section 3(1) of the Principal Act is amended by the substitution of “a specified member” for “a member”.

Amendment of section 4 of Principal Act

- 8.** (1) Section 4 of the Principal Act is amended by—

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- (a) the substitution of the following subsection for subsection (1):

“(1) Subject to subsections (6) and (8), where an interlocutory order has been in force for not less than 2 years in relation to property, the Court shall, on application to it by the applicant, make an order (in this Act referred to as a ‘disposal order’) directing that the whole or, where appropriate, a specified part of that property be transferred, subject to such terms and conditions as the Court may specify, to the Minister or to such other person as the Court may determine.”.

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- (b) the deletion of subsection (2),

- (c) the substitution of the following subsection for subsection (6):

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“(6) Subject to subsection (6A), the Court shall, before deciding whether to make a disposal order, give the respondent and any other person claiming ownership of property that is proposed to be the subject of the order, an opportunity to be heard by the Court.”.

- (d) the insertion of the following subsection after subsection (6):

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“(6A) For the purposes of subsection (6), the respondent or other person concerned may not seek to reopen—

- (a) the finding of the Court, when the interlocutory order was made in respect of the property concerned, that the property constitutes proceeds of crime, or
- (b) any other findings of fact made by that Court at that time.”,
- (e) in subsection (7), by the substitution of “6 months” for “2 years”, and 5
- (f) by the substitution of the following subsection for subsection (8):
 - “(8) The Court shall not make a disposal order where it is satisfied that there would be a serious risk of injustice if the order was made.”.
- (2) Notwithstanding *subsection (1)*, section 4 of the Principal Act as it stood immediately before the coming into operation of that subsection shall continue to apply in respect of an interlocutory order (within the meaning of that Act) that is in force on such coming into operation. 10

Amendment of section 4A of Principal Act

- 9. Section 4A(1)(a) of the Principal Act is amended by the substitution of “is in force” for “has been in force for a period of less than 7 years”. 15

Amendment of section 6 of Principal Act

- 10. Section 6(1)(b) of the Principal Act is amended by the substitution of “other than where a receiver has been appointed under section 7(1A) in respect of that property, the respondent” for “the respondent”.

Amendment of section 7 of Principal Act

- 11. Section 7 of the Principal Act is amended— 20
 - (a) in subsection (1)—
 - (i) by the substitution of “Subject to subsection (1D), where an interim order is in force, the Court may, on application to it in that behalf by the applicant,” for “Where an interim or interlocutory order is in force, the Court may”, and 25
 - (ii) in paragraph (a), by the substitution of “relates, and” for “relates”,
 - and
 - (b) by the insertion of the following subsections after subsection (1):
 - “(1A) Subject to subsection (1D), where an interlocutory order is in force, the Court shall, on application to it in that behalf by the applicant, 30 appoint a receiver—
 - (a) to take possession of any property to which the order relates,
 - (b) to deprive the respondent of the ongoing benefit and use of the property, and
 - (c) in accordance with the Court’s directions, to manage, keep 35 possession of, dispose of or otherwise deal with any property in respect of which he or she is appointed.

- (1B) An appointment of a receiver under subsection (1A) shall be subject to such exceptions and conditions (if any) as may be specified by the Court in making the appointment concerned.
- (1C) A Court may, on the appointment of a receiver under subsection (1A), require any person having possession or control of property in respect of which the receiver is appointed to give possession of the property to the receiver. 5
- (1D) A Court shall not make an order under subsection (1) or (1A) where it is satisfied that there would be a serious risk of injustice if the order was made. 10
- (1E) The Court may, on application to it in that behalf by the applicant, the respondent or any other person who asserts that he or she is affected by the appointment of a receiver under this section, where it considers it necessary in the interests of justice, make an order—
 - (a) revoking the appointment, 15
 - (b) where exceptions or conditions were specified under subsection (1) or (1B), as the case may be, varying or discharging all or any of those exceptions or conditions, or
 - (c) where no exceptions or conditions were specified on that appointment, specifying exceptions or conditions that are to apply to the appointment concerned.”. 20

Amendment of section 8 of Principal Act

12. Section 8 of the Principal Act is amended—

- (a) in subsection (1), by the substitution of “a specified member” for “a member”, and 25
- (b) in subsection (3), by the substitution of “and, subject to sections 1A(2G), 1B(4) and 1E(2), any other proceedings under this Act” for “and any other proceedings under this Act”.

Amendment of section 15 of Principal Act

13. Section 15(1) of the Principal Act is amended by the substitution of “a member” for “a member of the Garda Síochána”. 30

Amendment of section 16B of Principal Act

14. Section 16B(5) of the Principal Act is amended by the substitution of “a specified member” for “a member”.

PART 3

AMENDMENT OF NATIONAL ARCHIVES ACT 1986, CRIMINAL JUSTICE ACT 1994, CRIMINAL ASSETS BUREAU ACT 1996, CRIMINAL JUSTICE (TERRORIST OFFENCES) ACT 2005 AND CRIMINAL JUSTICE (CORRUPTION OFFENCES) ACT 2018

Amendment of Schedule to National Archives Act 1986

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- 15.** The Schedule to the National Archives Act 1986 is amended by the addition of “Criminal Assets Bureau”.

Amendment of section 43 of Criminal Justice Act 1994

- 16.** The Criminal Justice Act 1994 is amended—

- (a) by the substitution of the following section for section 41: 10

“Interest

- 41.** Currency and bearer-negotiable instruments seized under this Part of this Act and detained for more than forty-eight hours shall, unless required as evidence of an offence, be held in an interest-bearing account and the interest accruing on any such currency or bearer-negotiable instruments shall be added to that currency or those bearer-negotiable instruments, as the case may be, on its or their forfeiture and release.”. 15

and

- (b) in section 43(1) by—

- (i) the substitution of the following definition for the definition of “cash”: 20

“ ‘cash’ has the same meaning as it has in the Regulation of 2018;”,

and

- (ii) the insertion of the following definitions:

“ ‘bearer-negotiable instruments’ has the same meaning as it has in the Regulation of 2018; 25

‘currency’ has the same meaning as it has in the Regulation of 2018;

‘Regulation of 2018’ means Regulation (EU) 2018/1672 of the European Parliament and of the Council of 23 October 2018² on controls on cash entering or leaving the Union and repealing Regulation (EC) No. 1889/2005.”. 30

Amendment of Criminal Assets Bureau Act 1996

- 17.** The Criminal Assets Bureau Act 1996 is amended—

- (a) in section 1(1), by the substitution of the following definition for the definition of “Revenue Acts”:

² OJ No. L284, 12.11.2018, p. 6

“ ‘Revenue Acts’ has the same meaning as it has in section 859 of the Taxes Consolidation Act 1997;”,

(b) in section 8—

(i) in subsection (6A)—

(I) in paragraph (a), by the deletion of “or”, 5

(II) in paragraph (b), by the substitution of “of that Act), or” for “of that Act),”, and

(III) by the insertion of the following paragraph after paragraph (b):

“(c) section 50 of the Criminal Justice Act 2007,”,

(ii) in subsection (7)— 10

(I) in paragraph (d), by the deletion of “or”,

(II) by the insertion of the following paragraphs after paragraph (e):

“(f) the Director of Public Prosecutions or the Office of the Chief State Solicitor, or

(g) where a relevant body is prescribed by the Minister under subsection (7A), that body for the purposes of that body performing its functions,” 15

(iii) by the insertion of the following subsection after subsection (7):

“(7A) The Minister may, having regard to the functions of a relevant body, prescribe by regulations a relevant body for the purposes of subsection (7)(g).” 20

and

(iv) by the insertion of the following subsection after subsection (10):

“(11) In this section—

‘Act of 2014’ means the Companies Act 2014; 25

‘company’ means a company formed and registered under the Act of 2014 or an existing company within the meaning of that Act;

‘relevant body’ means—

(a) a body established by or under an enactment (other than the Act of 2014 or a former enactment relating to companies within the meaning of section 5 of that Act), 30

(b) a company in which all the shares are held by, or on behalf of, or by directors appointed by, a Minister of the Government, or

(c) a company in which all the shares are held by—

(i) a body referred to in paragraph (a), or 35

(ii) a company referred to in paragraph (b).”,

and

(c) in section 10—

(i) in subsection (8), by the substitution of “Subject to subsection (9)(b), in this section” for “In this section”, and

(ii) by the insertion of the following subsection after subsection (8): 5

“(9) (a) A reference in subsections (1), (5) and (6) to a bureau officer who is an officer of the Revenue Commissioners or an officer of the Minister for Social Protection shall be taken to include a reference to a person who was, but is no longer, a bureau officer and who is or who was, but is no longer, an officer of the Revenue Commissioners or an officer of the Minister for Social Protection. 10

(b) A reference in subsections (1), (5), (6) and (7) to a member of the staff of the Bureau shall be taken to include a reference to a person who was, but is no longer, a member of staff of the Bureau.

(c) A reference in subsection (7) to a bureau officer shall be taken to include a reference to a person who was, but is no longer, a bureau officer.”. 15

Amendment of section 16 of Criminal Justice (Terrorist Offences) Act 2005

18. (1) Section 16 of the Act of 2005 is amended—

(a) in subsection (1), by the substitution of “Subject to subsections (6) and (8), where an interlocutory order has been in force for not less than 2 years in relation to funds, the High Court shall,” for “Subject to subsection (2), where an interlocutory order has been in force for not less than 7 years in relation to funds, the High Court may,” 20

(b) by the deletion of subsection (2), 25

(c) in subsection (6), by the substitution of “Subject to subsection (6A), in proceedings” for “In proceedings”,

(d) by the insertion of the following subsection after subsection (6):

“(6A) For the purposes of subsection (6), a person referred to in that subsection may not seek to reopen— 30

(a) the finding of the High Court, when the interlocutory order was made in respect of the funds concerned, that the funds were used or were intended for use in committing or facilitating the commission of an offence under section 6 or 13, or

(b) any other findings of fact made by that Court at that time.”. 35

(e) in subsection (7), by the substitution of “6 months” for “2 years”, and

(f) by the substitution of the following subsection for subsection (8):

“(8) The Court shall not make a disposal order where it is satisfied that there would be a serious risk of injustice if the order were made.”.

- (2) Notwithstanding *subsection (1)*, section 16 of the Act of 2005 as it stood immediately before the coming into operation of that subsection shall continue to apply in respect of an interlocutory order (within the meaning of that Act) that is in force on such coming into operation.
- (3) In this section, “Act of 2005” means the Criminal Justice (Terrorist Offences) Act 2005.”. 5

Amendment of section 22 of Criminal Justice (Corruption Offences) Act 2018

19. Section 22 of the Criminal Justice (Corruption Offences) Act 2018 is amended—

- (a) by the designation of that section as subsection (1),
- (b) in subsection (1), by the substitution of “Sections 40 (appeal against forfeiture order)” for “Sections 40 (appeal against forfeiture order), 41 (interest on cash detained)”, and 10
- (c) by the addition of the following subsection after subsection (1):
- “(2) Section 41 (interest on cash detained) of the Criminal Justice Act 1994 shall apply in relation to cash or any other seized property detained under section 20 or forfeited under section 21 that is capable of being held in an interest-bearing account as it applies to currency or bearer-negotiable instruments (within the meaning of Part VI of that Act) detained under section 38 or forfeited under section 39 of that Act.”. 15

An Bille um Fháлтаis ó Choireacht agus
Nithe Gaolmhara, 2025

BILLE

(mar a leasaíodh sa Roghchoiste um Dhli agus
Ceart, Gnóthaí Baile agus Imirce)

dá ngairtear

Acht do dhéanamh socrú chun go leanfar de mhaoín a choinneáil chun críoch imscrúdaithe ag an mBiúró um Shócmhainní Coiriúla in imthosca áirithe; do dhéanamh socrú maidir le hoifigeach biúró do thabhairt treoruithe caltha íocaíochtaí, agus maidir leis an gCúirt Dúiche do dhéanamh orduithe caltha íocaíochtaí, i leith cistí i gcuntais in imthosca áirithe; do laghdú na tréimhse ama arb ar a feadh is gá d'ordú idirbhreitheach a bheith i bhfeidhm sular féidir ordú diúscartha a dhéanamh i leith maoín áirithe; do dhéanamh socrú maidir le glacadóir a cheapadh chun an cumas tairbhe agus úsáid leanúnach a bhaint as maoín a bhaint de dhuine in imthosca áirithe agus chun na gcríoch sin agus chun críoch eile do leasú an Achta um Fháлтаis ó Choireacht, 1996; do leasú an Achta um Chartlann Náisiúnta, 1986; do leasú an Achta um Cheartas Coiriúil, 1994; do leasú an Achta fán mBiúró um Shócmhainní Coiriúla, 1996; do leasú an Achta um Cheartas Coiriúil (Cionta Sceimhlitheoireachta), 2005; do leasú an Achta um Cheartas Coiriúil (Cionta Éillithe), 2018; agus do dhéanamh socrú i dtaobh nithe gaolmhara.

*Ordaiodh ag an Roghchoiste a chlóbhualadh,
2 Nollaig, 2025*

Proceeds of Crime and Related Matters Bill
2025

BILL

(as amended in the Select Committee on Justice,
Home Affairs and Migration)

entitled

An Act to provide for the continued detention of property for the purposes of an investigation by the Criminal Assets Bureau in certain circumstances; to provide for the giving of payment freezing directions by a bureau officer, and the making of payment freezing orders by the District Court, in respect of funds in accounts in certain circumstances; to reduce the period of time an interlocutory order is required to be in place before a disposal order can be made in respect of certain property; to provide for the appointment of a receiver to deprive a person of the ongoing benefit and use of property in certain circumstances and for those and other purposes to amend the Proceeds of Crime Act 1996; to amend the National Archives Act 1986; to amend the Criminal Justice Act 1994; to amend the Criminal Assets Bureau Act 1996; to amend the Criminal Justice (Terrorist Offences) Act 2005; to amend the Criminal Justice (Corruption Offences) Act 2018; and to provide for related matters.

*Ordered by the Select Committee to be printed,
2nd December, 2025*

BAILE ÁTHA CLIATH
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR

Le ceannach díreach ó

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