

**Practice Note SC CL 10**  
**Proceeds of Crime and Criminal Assets**

**Commencement**

1. This Practice Note was issued on 28 October 2011 and commences 28 October 2011.

**Application**

2. This Practice Note applies to any application, by consent or otherwise, for variation or discharge of orders concerning the proceeds of crime or criminal assets.

**Definitions**

3. In this Practice Note:

**CA** means *Customs Act 1901 (Cth)*

**CARA** means *Criminal Assets Recovery Act 1990*

**CPCA** means *Confiscation of Proceeds of Crimes Act 1989*

**PCA** means *Proceeds of Crime Act 1987 (Cth)*

**Proceeds of Crime or Criminal Assets** mean any proceeds, assets or benefits regulated under any laws referred to in this Practice Note, and shall have the definition given in the respective law.

**Introduction**

4. The purpose of this Practice Note is:  
To provide arrangements for seeking orders to vary or discharge orders relating to the proceeds of crime or criminal assets.

**Process**

5. Any order, by consent or otherwise, that varies or discharges an order concerning the proceeds of crime or criminal assets, whether under the CA, CARA, CPCA or PCA, shall only be made by a Judge of this Court.
6. Applications for such orders should generally be made to the Common Law Duty Judge.

T F Bathurst  
Chief Justice of NSW  
28 October 2011

**Related information**

[\*Customs Act 1901 \(Cth\)\*](#)

[\*Criminal Assets Recovery Act 1990\*](#)

[\*Confiscation of Proceeds of Crimes Act 1989\*](#)

[\*Proceeds of Crime Act 1987 \(Cth\)\*](#)

**Amendment history**

28 October 2011: Practice Note SC CL 10 was issued and commenced on this date.