



Triple Bottom Line (TBL) Assessment Summary

The Triple Bottom Line Assessment is required to be published in accordance with Part 4, section 23 (1)(b) of the Freedom of Information Act 2016

19/307 Confiscation of Criminal Assets (Unexplained Wealth) Amendment Bill 2020

Summary of impacts:

- The Confiscation of Criminal Assets (Unexplained Wealth) Amendment Bill 2020 amends the *Confiscation of Criminal Assets Act 2003* to provide an unexplained wealth scheme for the ACT.
- The Bill provides for unexplained wealth restraining orders which restrict a person's ability to dispose of, or otherwise deal with, property. A court must make an unexplained wealth order if satisfied that there are reasonable grounds to suspect that a person's total wealth exceeds the value of the person's wealth lawfully acquired and the whole of any part of the person's wealth was derived, directly or indirectly from a serious offence, or the person has committed a serious offence.
- The Bill provides for unexplained wealth orders which make payable to the Territory an amount which, in the court's opinion, constitutes the difference between a person's total wealth their wealth that has been lawfully acquired.

Level of impact	Positive	Negative	Neutral
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Social

Level of impact	Impact	Summary
Neutral	Gender Equality	Nil impact.
Negative	Human rights	The Bill engages the following rights under the Human Rights Act 2004: protection of family and children, privacy and reputation and fair trial. Safeguards have been included in the Bill to ensure that any engagement with rights are justified and reasonable.
Positive	Justice and Crime	The scheme introduced by the Bill will provide a valuable tool to police to confiscate assets where a person linked to criminal activity cannot reasonably demonstrate that these assets have been lawfully obtained.

Economic

Positive	ACT Government Budget	Money paid from an unexplained wealth order will be deposited into the Confiscation of Criminal Assets Trust Fund. Until the legislation begins to be utilised the budget impact is unknown.
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Environmental Nil impact.
