

- (ii) in the case of the United Kingdom of Great Britain and Northern Ireland, a confiscation order which is made by a court and which is not, or is no longer, capable of being the subject of any form of appeal proceedings;
- (b) references to "co-operation" (other than references in the title of the Judicial Co-operation Unit of the Home Office) shall be taken to be references to any assistance, including intelligence, operational, legal or judicial assistance, which has been given by one Party and which has contributed to, or significantly facilitated, forfeiture or confiscation in the territory of the other Party;
- (c) references to "assets" shall be taken to be references to assets which are in the possession of a Party, and which comprise the net proceeds realised as a result of forfeiture or confiscation, after deduction of the costs of realisation;

and the provisions of this Agreement are to be interpreted accordingly.

## ARTICLE 2

### CIRCUMSTANCES IN WHICH ASSETS MAY BE SHARED

In any case in which a Party is in possession of assets, and it appears to that Party ('the Holding Party') that co-operation has been given by the other Party, the Holding Party may, at its discretion and in accordance with its domestic laws, share those assets with that other Party ('the Co-operating Party').

## ARTICLE 3

### REQUESTS FOR ASSET SHARING

1. A request for asset sharing may be made by a Party which has co-operated with the Holding Party, and shall be made in accordance with the provisions of this Agreement.
2. A request made under paragraph 1 of this Article shall set out the circumstances of the co-operation to which it relates, and shall include sufficient details to enable the Holding Party to identify the case, the assets, and the agency or agencies involved.
3. On receipt of a request for asset sharing made in accordance with the provisions of this Article, the Holding Party shall:
  - (a) consider whether to share assets as set out in Article 2 of this Agreement, and
  - (b) inform the Party making the request of the outcome of that consideration.