

17 July 2026

Harry Satoshi
fyi-request-34884-d950ff13@requests.fyi.org.nz

Our ref: OIA 133368

Tēnā koe Harry

Official Information Act Request: Cryptocurrency confiscation orders and proceeds

Thank you for your email of 9 June 2026 to the Ministry of Justice (the Ministry). Under the Official Information Act 1982 (the Act), you requested:

I request the following information:

A. Confiscation orders

- 1. The number of confiscation orders issued involving cryptocurrency assets in New Zealand, broken down by year from 2015 to present.*
- 2. The total estimated value of cryptocurrency subject to confiscation orders, broken down by year where records allow.*
- 3. The legislation under which cryptocurrency assets are most commonly confiscated in New Zealand - including the Criminal Proceeds (Recovery) Act 2009 and any other relevant statutes.*

B. Legal process

- 4. The legal process that must be followed before seized cryptocurrency can be liquidated or transferred following a confiscation order.*
- 5. Whether there are any legal constraints on when or how quickly seized cryptocurrency can be sold after a confiscation order is granted.*
- 6. How New Zealand courts and the Ministry treat the valuation of cryptocurrency assets for the purposes of confiscation proceedings, given price volatility.*

C. Proceeds

- 7. Where the proceeds from liquidated cryptocurrency assets go following a confiscation order - including whether funds are returned to consolidated revenue, distributed to victims, or allocated to specific funds.*

8. Whether there is a public record of proceeds received from cryptocurrency confiscations.

D. Policy

9. Whether the Ministry of Justice has issued or is developing any specific policy guidance on the treatment of cryptocurrency assets in criminal proceedings.

Please provide documents, records, policies or guidelines that are held and can be released under the Act. Where information cannot be released in full, I ask that it be released in part with reasons given for any withholding.

On 18 June 2026 the Ministry transferred questions 1 to 5, and question 7 of your request in part under section 14 of the Act to New Zealand Police (the Police).

On 7 July 2026, the Ministry extended the time frame to respond to your request in line with section 15A(1)(b) of the Act, as consultations necessary to make a decision on your request meant that a response could not be made within the original time limit. You were advised that you could expect a response no later than 16 July 2026. Thank you for your patience while we completed this process

In response to the remainder of your request, specifically questions 6, 8 and 9, I am refusing these questions under section 18(e) of the Act as the information does not exist. However, I can provide you some background information that you may find of use.

Regarding question 6, I can advise that under the Criminal Proceeds Recovery Act 2009 the definition of property includes real or personal property of any kind, whether tangible or intangible. This is able to cover cryptocurrency that a person has an interest in. It is treated the same way as any other property that may be liable to forfeiture. Courts have ordered the forfeiture of cryptocurrency in previous cases. Their approach to the valuation of the cryptocurrency has been informed by their experience dealing with other property that was derived from significant criminal activity and which subsequently appreciated or depreciated in value, as happens with financial investments, vehicles, and homes.

Regarding question 9, The Ministry has not issued any guidance on the treatment of cryptocurrency. However, the courts have made relevant decisions on the legal status of cryptocurrencies as property in *Dixon v R* [2015] NZSC 147 and *Ruscoe v Cryptopia Ltd (in Liquidation)* [2020] NZHC 728. These case law precedents may inform subsequent court cases dealing with cryptocurrencies in criminal proceedings.

Please note that this response, with your personal details removed, may be published on the Ministry website at: [Official Information Act responses | New Zealand Ministry of Justice](#).

If you are not satisfied with this response, you have the right to make a complaint to the Ombudsman under section 28 of the Act. The Office of the Ombudsman may be contacted

by phone on: 0800 802 602, by email at: info@ombudsman.parliament.nz, or via the webform: [Make a complaint \(for members of the public\) | Ombudsman New Zealand](#).

Nāku noa, nā



Alida Mercuri
General Manager, Criminal Justice