



# Prescription and Limitation (Scotland) Act 1973

## 1973 CHAPTER 52

### PART II

#### LIMITATION OF ACTIONS

#### **[<sup>F1</sup>19BA Actions to prohibit dealing with property subject to an external request**

- (1) None of the time limits given in the preceding provisions of this Act applies to any proceedings under Part 4B of the Proceeds of Crime Act 2002 (External Requests and Orders) Order 2005 (giving effect to external requests by means of civil proceedings).
- (2) Proceedings under that Part for a prohibition order in respect of relevant property shall not be commenced after the expiration of the period of 20 years from the date on which the Scottish Ministers' right of action accrued.
- (3) Proceedings under that Part are commenced when an application is made for a prohibition order.
- (4) The Scottish Ministers' right of action accrues in respect of any relevant property when the property is obtained (or when it is believed to have been obtained) as a result of or in connection with criminal conduct.
- (5) In this section—
  - (a) "criminal conduct" is to be construed in accordance with section 447(8) of the Proceeds of Crime Act 2002,
  - (b) expressions used in this section and Part 4B of the Proceeds of Crime Act 2002 (External Requests and Orders) Order 2005 have the same meaning in this section as in that Part.]

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*Status: Point in time view as at 31/01/2018.*

*Changes to legislation: Prescription and Limitation (Scotland) Act 1973, Section 19BA is up to date with all changes known to be in force on or before 27 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

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#### **Textual Amendments**

- F1** S. 19BA inserted (11.11.2013) by [The Proceeds of Crime Act 2002 \(External Requests and Orders\) \(Amendment\) Order 2013 \(S.I. 2013/2604\)](#), arts. 1(1), **6(2)**

**Status:**

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