
STATUTORY INSTRUMENTS

1994 No. 1644 (S.72)

CRIMINAL LAW, SCOTLAND

**The Confiscation of the Proceeds of Drug
Trafficking (Designated Countries and
Territories) (Scotland) Amendment Order 1994**

<i>Made</i>	- - - -	<i>22nd June 1994</i>
<i>Laid before Parliament</i>		<i>4th July 1994</i>
<i>Coming into force</i>	- -	<i>1st August 1994</i>

At the Court at Buckingham Palace, the 22nd day of June 1994

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, in exercise of the powers conferred upon Her by section 30 of the Criminal Justice (Scotland) Act 1987(1), is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:

1.—(1) This Order may be cited as the Confiscation of the Proceeds of Drug Trafficking (Designated Countries and Territories) (Scotland) Amendment Order 1994 and shall come into force on 1st August 1994.

(2) In this Order “the Act” means the Criminal Justice (Scotland) Act 1987 and “the principal Order” means the Confiscation of the Proceeds of Drug Trafficking (Designated Countries and Territories) (Scotland) Order 1991(2).

2. Schedule 1 to the principal Order shall be amended as follows:—

- (a) by inserting, in the appropriate alphabetical position, the entries for those countries and territories specified in the Schedule to this Order (including where so specified the appropriate authority for a country or territory); and
- (b) by deleting the entry relating to Czechoslovakia.

3. The Appendix set out at the end of Schedule 3 to the principal Order (which defines when proceedings are instituted for the purposes of section 47(5)(a)(i) of the Act as modified by article

(1) 1987 c. 41; section 30 was substituted by section 63 of the Law Reform (Miscellaneous Provisions) (Scotland) Act 1990 (c. 40) and amended by section 21 of the Criminal Justice Act 1993 (c. 36).

(2) S.I. 1991/1467, amended by S.I. 1992/1733, 1993/1806 and 1993/3156.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

3(2) of and Schedule 2 to the principal Order) shall be amended by inserting, after the entry relating to Bermuda, the following:—

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|-------------------------|--|
| “British Virgin Islands | (a) when a summons or warrant is issued in respect of an offence; |
| | (b) when a person is charged with an offence after being taken into custody without a warrant; |
| | (c) when an indictment is preferred”. |
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N.H. Nicholls
Clerk of the Privy Council

SCHEDULE

Article 2

DESIGNATED COUNTRIES

Designated country	Appropriate authority
British Virgin Islands	The Attorney General of the British Virgin Islands
The Czech Republic	
Finland	
Latvia	
Sudan	

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Confiscation of the Proceeds of Drug Trafficking (Designated Countries and Territories) (Scotland) Order 1991 (S.I.1991/1467) (“the principal Order”) which provides that, subject to certain modifications, the Criminal Justice (Scotland) Act 1987 applies to an order made by a court in a designated country or territory for the purpose of recovering payments or other rewards received in connection with drug trafficking or their value, and to proceedings which have been or are to be instituted in a designated country or territory and may result in such an Order being made there.

This Order makes amendments in respect of the countries and territories to which the principal Order applies.