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SCOTTISH STATUTORY INSTRUMENTS

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**2005 No. 581**

**CRIMINAL LAW**

The Criminal Justice (International Co  
operation) Act 1990 (Enforcement of Overseas  
Forfeiture Orders) (Scotland) Order 2005

*Made - - - - 15th November 2005*  
*Laid before the Scottish*  
*Parliament - - 1st December 2005*  
*Coming into force 31st December 2005*

THE CRIMINAL JUSTICE (INTERNATIONAL CO  
OPERATION) ACT 1990 (ENFORCEMENT OF OVERSEAS  
FORFEITURE ORDERS) (SCOTLAND) ORDER 2005

PART 1

GENERAL PROVISIONS

1. Citation, commencement and extent
2. Revocation and savings

PART 2

REQUESTS FOR RESTRAINT OF PROPERTY

3. Action on receipt of external request in connection with criminal investigations or proceedings
4. Conditions for court to give effect to external request
5. Restraint orders
6. Application, recall and variation
7. Appeals
8. Inhibition of property affected by order
9. Arrestment of property affected by order
10. Management administrators
11. Seizure in pursuance of restraint order
12. Restraint orders: restrictions on proceedings and remedies

*Status: This is the original version (as it was originally made).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

### PART 3

#### EXTERNAL FORFEITURE ORDERS

13. Applications to give effect to external forfeiture orders
14. Authentication by an overseas court
15. Conditions for the court to give effect to external forfeiture orders
16. Registration of external forfeiture orders
17. Appeal about external forfeiture orders
18. Appointment of enforcement administrators
19. Powers of enforcement administrators in respect of external forfeiture orders for the recovery of specified property
20. Satisfaction of external forfeiture order

### PART 4

#### ADMINISTRATORS AND PROCEDURE

21. Protection of administrator appointed under article 10 or 18
22. Protection of persons affected
23. Recall and variation of order
24. Management administrators: discharge
25. Appeals
26. Administrators: further provision
27. Administrators: restrictions on proceedings and remedies

### PART 5

#### INTERPRETATION

28. General interpretation
  29. External forfeiture orders
  30. Designated countries
  31. Property
  32. Tainted gifts and their recipients
  33. Value: the basic rule
  34. Value of tainted gifts
  35. Meaning of “accused” and “offender”
- Signature

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#### SCHEDULE 1 ADMINISTRATORS: FURTHER PROVISION

1. ***General***
2. ***Appointment etc.***
3. ***Functions***
4. ***Consent of accountant of court***
5. ***Dealings in good faith with administrator***
6. ***Money received by administrator***
7. ***Effect of appointment of administrator on diligence***
8. ***Supervision***
9. ***Accounts and remuneration***
10. ***Discharge of Administrator***

#### SCHEDULE 2 Designated Countries

Explanatory Note