



Criminal Justice (International Co-operation) Act 1990

1990 CHAPTER 5

PART II

THE VIENNA CONVENTION

Proceeds of drug trafficking

[^{F1}15 Interest on sums unpaid under confiscation orders.

(1) If any sum required to be paid by a person under a confiscation order is not paid when it is required to be paid (whether forthwith on the making of the order or at a time specified ^{F2} . . . under section 396(1) of the ^{M1}Criminal Procedure (Scotland) Act 1975) that person shall be liable to pay interest on that sum for the period for which it remains unpaid and the amount of the interest shall for the purposes of enforcement be treated as part of the amount to be recovered from him under the confiscation order.

^{F3}(2) The sheriff may, on the application of the prosecutor, increase the term of imprisonment or detention fixed in respect of the confiscation order under section 396(2) of the said Act of 1975 (imprisonment in default of payment) if the effect of subsection (1) above is to increase the maximum period applicable in relation to the order under section 407(1A) of the said Act of 1975.]

(3) The rate of interest under subsection (1) above ^{F4} . . . shall be the rate [^{F5}payable under a decree of] the Court of Session.

Textual Amendments

F1 S. 15 repealed (S.) (1.4.1996) by 1995 c. 40, ss. 6, 7(2), **Sch. 5**.

F2 Words in s. 15(1) repealed (3.2.1995) by 1994 c. 37, ss. 66(1), 67(1), 69(2), Sch. 1 para. 27(2), **Sch. 3**

F3 S. 15(2) substituted (3.2.1995) by 1994 c. 37, ss. 65(1), 69(2), **Sch. 1 para. 27(3)**

F4 Words in s. 15(3) repealed (3.2.1995) by 1994 c. 37, ss. 65(1), 67(1), 69(2), Sch. 1 para. 27(4), **Sch. 3**

Changes to legislation: There are currently no known outstanding effects for the Criminal Justice (International Co-operation) Act 1990, Section 15. (See end of Document for details)

F5 Words in s. 15(3) substituted (31.3.1996) by 1995 c. 20, s. 117(1), **Sch. 6 Pt. II para. 190(2)**; S.I. 1996/517, **art. 3(2)**.

Modifications etc. (not altering text)

C1 S. 15 extended (with modifications) (to Anguilla) (14.7.1994) by S.I. 1994/1635, **art. 2, Sch. 1**.

Commencement Information

I1 S. 15 wholly in force at 1.7.1991 see s. 32(2) and S.I. 1991/1072, **art. 2(b), Schedule Pt. II**

Marginal Citations

M1 1975 c. 21.

Changes to legislation:

There are currently no known outstanding effects for the Criminal Justice (International Co-operation) Act 1990, Section 15.