

SCHEDULES

SCHEDULE 4

MINOR AND CONSEQUENTIAL AMENDMENTS

The Drug Trafficking Act 1994 (c. 37)

- 94 (1) The Drug Trafficking Act 1994 shall be amended as follows.
- (2) In subsection (7) of section 4 (assessing the proceeds of drug trafficking), for paragraphs (b) and (c) there shall be substituted the following—
“(b) the Proceeds of Crime (Scotland) Act 1995;”.
- (3) In subsection (3) of section 6 (meaning of realisable property) for paragraph (e) there shall be substituted the following—
“(e) Part II of the Proceeds of Crime (Scotland) Act 1995 (forfeiture of property used in crime);”
- (4) In subsection (2) of section 18 (compensation) for sub-paragraph (ii) of paragraph (b) there shall be substituted the following—
“(ii) an order of the Court of Session under section 32, 33, 34 or 35 of the Proceeds of Crime (Scotland) Act 1995 (recognition and enforcement of orders under this Act and inhibition and arrestment of property affected by restraint orders);”.
- (5) In subsection (10) of section 26 (restraint orders) for the words from “Part I” to the end of the subsection there shall be substituted the words “the Proceeds of Crime (Scotland) Act 1995, and in relation to such an order “realisable property” has the same meaning as in that Act”.
- (6) In section 37 (recognition and enforcement of certain Scottish orders and functions)
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- (a) in subsection (1)—
- (i) after the words “expedient for the purpose” there shall be inserted the words “in connection with a drug trafficking offence within the meaning of the Proceeds of Crime (Scotland) Act 1995”;
- (ii) in paragraph (a) for the words “Part I of the Criminal Justice (Scotland) Act 1987” there shall be substituted the words “that Act”;
- (iii) in each of paragraphs (a) and (b) where they occur, the words “that Part of” shall cease to have effect;
- (b) in subsection (2)—
- (i) in paragraph (a), in sub-paragraph (i) for the words “section 13 of the Criminal Justice (Scotland) Act 1987” there shall be substituted the words “Schedule 1 to the Proceeds of Crime (Scotland) Act 1995” and in sub-paragraph (ii) the words “Part I of” shall cease to have effect;

Status: This is the original version (as it was originally enacted).

(ii) in each of paragraphs (b) and (c) where they occur, the words “that Part of” shall cease to have effect.

(7) In subsection (2) of section 48 (interpretation of Part II), in paragraph (a) for the words “Part I of the Criminal Justice (Scotland) Act 1987” there shall be substituted the words “the Proceeds of Crime (Scotland) Act 1995”.