



Serious Crime Act 2015

2015 CHAPTER 9

PART 1

PROCEEDS OF CRIME

CHAPTER 2

SCOTLAND

Confiscation

17 Compliance orders: appeals by prosecutor

- (1) The Criminal Procedure (Scotland) Act 1995 is amended as follows.
- (2) In section 108 (Lord Advocate's right of appeal in solemn proceedings)—
 - (a) in subsection (1), after paragraph (cc) insert—
 - “(cd) a decision under section 97B(2) of the Proceeds of Crime Act 2002 to make or not to make a compliance order;”;
 - (b) in subsection (2)(b)—
 - (i) in sub-paragraph (ii), for “or (cc)” substitute “, (cc) or (cd)”;
 - (ii) in sub-paragraph (iii), after “paragraph” insert “(cd) or”.
- (3) In section 175 (right of appeal in summary proceedings)—
 - (a) in subsection (4), after paragraph (cc) insert—
 - “(cd) a decision under section 97B(2) of the Proceeds of Crime Act 2002 to make or not to make a compliance order;”;
 - (b) in subsection (4A)(b)—
 - (i) in sub-paragraph (ii), for “or (cc)” substitute “, (cc) or (cd)”;
 - (ii) in sub-paragraph (iii), after “paragraph” insert “(cd) or”.