
STATUTORY INSTRUMENTS

1992 No. 1734 (S.166)

CRIMINAL LAW, SCOTLAND

The Criminal Justice (International Co-operation)
Act 1990 (Enforcement of Overseas Forfeiture
Orders) (Scotland) Amendment Order 1992

Made - - - - - *15th July 1992*
Coming into force - - - - - *20th July 1992*

At the Court at Buckingham Palace the 15th day of July 1992
Present,
The Queen's Most Excellent Majesty in Council

Whereas a draft of this Order has been approved by a resolution of each House of Parliament:

Now, therefore, Her Majesty, in exercise of the powers conferred upon Her by section 9 of the Criminal Justice (International Co-operation) Act 1990(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 Criminal Justice (International Co-operation) Act 1990 (Enforcement of Overseas Forfeiture Orders) (Scotland) Amendment Order 1992 and shall come into force on 20th July 1992.

(2) In this Order “the principal Order” means the Criminal Justice (International Co-operation) Act 1990 (Enforcement of Overseas Forfeiture Orders) (Scotland) Order 1991(2).

(3) This Order extends to Scotland only.

2. Schedule 1 to the principal Order (which defines the institution of proceedings for the purposes of article 2(3)(a) of that Order) shall be amended as follows:—

(a) after the entry relating to Anguilla, there shall be inserted the following:—

“Argentina	when a judge has ordered that a person be detained for the purpose of testifying
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(1) 1990 c. 5.
(2) S.I. 1991/1468.

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in connection with the commission of an offence”;

(b) after the entry relating to the Cayman Islands, there shall be inserted the following:—

“Germany	when a person is notified that he is accused of an offence and will be brought before a court”;
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(c) after the entry relating to Guernsey, there shall be inserted the following:—

“Guyana	when a charge has been laid against a person for an offence”; and
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(d) after the entry relating to the United States of America, there shall be inserted the following:—

“Uruguay	when criminal proceedings are instituted by a judicial authority”.
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3. Schedule 2 to the principal Order shall be amended by inserting, in the appropriate alphabetical position, the entries for those countries and territories specified in the Schedule to this Order.

G. I. de Deney
Clerk of the Privy Council

SCHEDULE

Article 3

Designated Country	Appropriate Authority
Afghanistan	
Argentina	the Ministry of Foreign Affairs
Brazil	
Burma	
Cameroon	
Czechoslovakia	
Germany	
Greece	
Guyana	the Permanent Secretary, Ministry of Home Affairs
Honduras	
Hungary	
Ivory Coast	
Monaco	
Nepal	
Pakistan	
Peru	
Portugal	
Seychelles	
Sri Lanka	
Syria	
Uruguay	the Ministry of Education and Culture
Venezuela	

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Criminal Justice (International Co-operation) Act 1990 (Enforcement of Overseas Forfeiture Orders) (Scotland) Order 1991 (S.I.1991/1468) which provides for the enforcement in Scotland of orders made by a court in a designated country or territory for the forfeiture and destruction or other disposal of property used in connection with the commission of a drug trafficking offence. The powers in the 1991 Order also apply to proceedings which have been

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or are to be instituted in a designated country or territory and may result in such an order being made there.

Article 3 amends the list of designated countries in the 1991 Order to include Afghanistan, Argentina, Brazil, Burma, Cameroon, Czechoslovakia, Germany, Greece, Guyana, Honduras, Hungary, Ivory Coast, Monaco, Nepal, Pakistan, Peru, Portugal, Seychelles, Sri Lanka, Syria, Uruguay and Venezuela. Article 2 amends Schedule 1 to the 1991 Order to specify when, for the purposes of Article 2(3)(a) of that Order, proceedings are instituted in, respectively, Argentina, Germany, Guyana and Uruguay.