

---

STATUTORY INSTRUMENTS

---

**1994 No. 1645 (S.73)**

**CRIMINAL LAW, SCOTLAND**

The Criminal Justice (International Co-operation)  
Act 1990 (Enforcement of Overseas Forfeiture  
Orders) (Scotland) Amendment Order 1994

*Made* - - - - - *22nd June 1994*  
*Laid before Parliament* *4th July 1994*  
*Coming into force* - - *1st August 1994*

At the Court at Buckingham Palace, the 22nd day of June 1994

Present,

The Queen's Most Excellent Majesty in Council

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 1994 and shall come into force on 1st August 1994.

(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).

2. In article 3(1) and article 21(1)(e) of the principal Order the words “or intended for use” shall be inserted after “used”.

3. 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 by inserting, after the entry relating to Bermuda, the following:—

---

“British Virgin Islands

(a) when a summons or warrant is issued in respect of an offence;

---

(1) 1990 c. 5; section 9 was amended by section 21 of the Criminal Justice Act 1993 (c. 36).  
(2) S.I. 1991/1468, amended by S.I. 1992/1734, 1993/1807 and 1993/3155.

---

**Status:** This is the original version (as it was originally made).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

---

- (b) when a person is charged with an offence after being taken into custody without a warrant;
  - (c) when an indictment is preferred”.
- 

4. Schedule 2 to the principal Order shall be amended as follows:—

- (a) by inserting, in the appropriate alphabetical position, the entries for those countries and territories specified in the Schedule to this Order (including where so specified the appropriate authority for a country or territory); and
- (b) by deleting the entry relating to Czechoslovakia.

*N.H. Nicholls*  
Clerk of the Privy Council

SCHEDULE

Article 4

DESIGNATED COUNTRIES — DRUG TRAFFICKING OFFENCES

Designated country	Appropriate authority
British Virgin Islands	The Attorney General of the British Virgin Islands
The Czech Republic	
Finland	
Latvia	
Sudan	

**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). That Order 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 conferred by the 1991 Order also apply to proceedings which have been, or are to be, instituted in a designated country or territory and may result in such an order being made there.

This Order makes amendments in respect of the countries and territories to which the 1991 Order applies. It also amends article 3(1) and article 21(1)(e) of the 1991 Order to enable an external order for the forfeiture of anything which was intended for use in the commission of a relevant offence to be enforced in Scotland.