

SCHEDULE

Rule 10(b)

**Form of notice to person with interest in property subject to an application for an order under paragraph 12 of Schedule 1 to the Proceeds of Crime (Scotland) Act 1995**

*(Cause reference number)*

IN THE SHERIFF COURT

in the

PETITION [*or* NOTE]

of

[A.B.] *(name and address)*

for an order under paragraph 12 of Schedule 1

to the Proceeds of Crime (Scotland) Act 1995

in respect of the estates of [C.D.] *(address)*

Date: *(date of posting or other method of service)*

To: *(name and address of person on whom notice is to be served)*

This Notice—

- (a) gives you warning that an application has been made to the sheriff court for an order which may affect your interest in property; and
- (b) informs you that you have an opportunity to appear and make representations to the court before the application is determined.

TAKE NOTICE

1. That on *(date)* in the sheriff court at *(place)* a confiscation order was made under section 1 of the Proceeds of Crime (Scotland) Act 1995 in respect of [C.D.] *(address)*.

2. That on *(date)* the administrator appointed under paragraph 1(1)(a) of Schedule 1 to the Proceeds of Crime (Scotland) Act 1995 on *(date)* was empowered to realise property belonging to [C.D.].

or

2. That on *(date)* the administrator was appointed under paragraph 1(1)(b) of Schedule 1 to the Proceeds of Crime (Scotland) Act 1995 on *(date)* to realise property belonging to [C.D.].

3. That application has been made by petition [*or* note] for an order under paragraph 12 of Schedule 1 to the Proceeds of Crime (Scotland) Act 1995 *(here set out briefly the nature of the order sought)*. A copy of the petition [*or* note] is attached.

4. That you have the right to appear before the court in person or by counsel or other person having a right of audience and make such representations as you may have in respect of the order applied for. The court has fixed *(insert day and date fixed for hearing the application)*, at *(insert time and place fixed for hearing)* as the time when you should appear to do this.

5. That if you do not appear or are not represented on the above date, the order applied for may be made in your absence.

**IF YOU ARE UNCERTAIN ABOUT THE EFFECT OF THIS NOTICE, you should consult a Solicitor, Citizens Advice Bureau or other local advice agency or adviser immediately.**

*(Signed)*

Sheriff Officer

[*or* Solicitor [*or* Agent] for petitioner [*or* noter]]

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

(Address)