

SCHEDULE 5
INVESTIGATION OF PROCEEDS OF ICC CRIME

PART 1

PRODUCTION OR ACCESS ORDERS

Production or access orders: special orders

- 4 (1) A production or access order may be made in relation to a person if the sheriff thinks it is likely that material to which the application relates is in the person's possession, custody or power within the period of 28 days beginning with the date of an order.
- (2) A production or access order may also be made in relation to material consisting of or including material which is expected to come into existence within that period.
- (3) In that case it must specify a person within sub-paragraph (1) above.
- (4) Where a production or access order is made by virtue of this paragraph—
- (a) the order shall require the specified person to notify a named constable as soon as is reasonably practicable after any material to which the application relates comes into the person's possession, custody or power; and
 - (b) paragraph 3 above has effect with the modifications mentioned in sub-paragraph (5) below.
- (5) The modifications are—
- (a) that the references in paragraph 3(1) above to material in the possession, custody or power of the specified person shall be read as references to the material that comes into the possession, custody or power of the specified person; and
 - (b) that the reference in paragraph 3(2) above to the date of the order shall be read as a reference to the date of the notification required by sub-paragraph (4)(a) above.
- (6) In this paragraph "specified" means specified in the order.