

SCHEDULES

SCHEDULE 5

DRUG TRAFFICKING AMENDMENTS

PART II

AMENDMENTS OF CRIMINAL JUSTICE (SCOTLAND) ACT 1987

- 18 The Criminal Justice (Scotland) Act 1987 shall be amended as follows.
- 19 In section 1 (confiscation orders) in paragraph (b) of subsection (2) after the words “restriction on importation” there shall be inserted the words “and exportation”.
- 20 In subsection (6)(a) of section 11 (which applies the provisions of that section to restraint orders under the Drug Trafficking Offences Act 1986 registered in Scotland) after the word “information” there shall be inserted the words “in respect of the charge”.
- 21 In subsection (3) of section 16 (application of proceeds of realisation and other sums) for the words from “sum”, in the second place where it occurs, to “applied”, in the third place where it occurs, there shall be substituted the words “sheriff clerk shall apply the money received—
- (a) first, in payment of any expenses to payment of which a person is entitled under section 37(2) of this Act but which were not paid to him under subsection (1) above;
 - (b) next, in payment of the administrator’s remuneration and expenses;
 - (c) next.”.
- 22 In section 34(6)(d) (bankruptcy in England and Wales of person holding realisable property) for the words “subsections (2)(b) and (4) are” there shall be substituted the words “subsection (2)(b) is”.
- 23 In subsection (5) of section 38 (order to permit entry to premises) after the word “constable” there shall be inserted the words “or person commissioned as aforesaid”.