

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Proceeds of Crime Act 2002 (Disclosure of Information to and by Lord Advocate and Scottish Ministers) Order 2003 (“the principal Order”), which provides for the disclosure of information to and by the Lord Advocate and the Scottish Ministers in connection with their functions under the Proceeds of Crime Act 2002 (“the 2002 Act”). It has effect throughout the United Kingdom.

Article 3 of the principal Order designates certain functions, which the Scottish Ministers think are of a public nature, for the purposes of section 441(2)(j) and (9) of the 2002 Act. Article 2 of this Order amends the list of designated functions to include the regulatory functions of the Council of the Law Society of Scotland as defined by sections 3F and 3G of the Solicitors (Scotland) Act 1980, and the functions of the Law Society of Scotland as a supervisory authority under the Money Laundering Regulations 2007.

By virtue of section 441(7) of the 2002 Act, this Order has effect subject to the provisions of the Data Protection Act 1998 (c.29) and Part 1 of the Regulation of Investigatory Powers Act 2000 (c.23).