
SCOTTISH STATUTORY INSTRUMENTS

2013 No. 293

**Act of Sederunt (Summary Applications, Statutory Applications
and Appeals etc. Rules Amendment) (Miscellaneous) 2013**

Civil Recovery: external investigations

3. After Part XLII (Regulation of Investigatory Powers Act 2000)(1) of the Summary Application Rules, insert—

“PART XLIII

**PROCEEDS OF CRIME ACT 2002
(EXTERNAL INVESTIGATIONS) ORDER 2013**

Application of this Part

3.43.1. This Part applies to applications to the sheriff under Part 2 of the Proceeds of Crime Act 2002 (External Investigations) Order 2013(2).

Applications

3.43.2.—(1) An application under the following provisions shall be made by summary application—

- (a) article 40(1) (production orders);
- (b) article 47(1) (search warrants);
- (c) article 56(1) (customer information orders);
- (d) article 63(1) (account monitoring orders).

(2) An application under the following provisions shall be made by minute in the process of the original application—

- (a) article 46(2) (discharge or variation of a production order or an order to grant entry);
- (b) article 62(2) (discharge or variation of a customer information order);
- (c) article 67(2) (discharge or variation of an account monitoring order).

(3) An application under article 42(2) (order to grant entry) shall be made—

- (a) in the application for the production order; or
- (b) where the application is made after a production order is made, by minute in the process of the application for the production order.”.

(1) Part XLII was inserted by [S.S.I. 2012/271](#).

(2) [S.I. 2013/2605](#).

Status: Point in time view as at 11/11/2013.

Changes to legislation: There are currently no known outstanding effects for the Act of Sederunt (Summary Applications, Statutory Applications and Appeals etc. Rules Amendment) (Miscellaneous) 2013, Section 3. (See end of Document for details)

Commencement Information

II Para. 3 in force at 11.11.2013, see [para. 1\(2\)](#)

Status:

Point in time view as at 11/11/2013.

Changes to legislation:

There are currently no known outstanding effects for the Act of Sederunt (Summary Applications, Statutory Applications and Appeals etc. Rules Amendment) (Miscellaneous) 2013, Section 3.