
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(2) of this Order amends the list of designated functions to include the functions of Revenue Scotland.

The Schedule to the principal Order designates as permitted persons, for the purposes of section 439 of the 2002 Act, the persons listed in column 1 of that Schedule. The designations are made in respect of the functions specified in relation to those persons in column 2 of that Schedule. Article 2(3) of this Order amends the Schedule to the principal Order to designate Revenue Scotland as a permitted person in relation to its specified functions.

By virtue of sections 439(3) and 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 \(c.23\)](#).