

SCHEDULES

SCHEDULE 5

AMENDMENTS TO THE CRIMINAL JUSTICE (SCOTLAND) ACT 1987 RELATING TO PART II

- 36 In section 47 (interpretation of Part I)—
- (a) in subsection (1)—
 - (i) the definition of “associate” shall cease to have effect;
 - (ii) for the definition of “confiscation order” there shall be substituted the following definition—

““confiscation order” means an order under section 1(1), 6A, 6B or 25 of this Act;”;

and
 - (iii) after the definition of “confiscation order” there shall be inserted the following definition—

““the court” means—

 - (a) for the purpose of sections 1 to 7A, the High Court of Justiciary or sheriff court;
 - (b) for the purposes of sections 8 to 26 and 33 to 37, the Court of Session or the sheriff court;”;
 - (b) in subsection (5), in each of paragraphs (c) and (d) after the words “High Court” there shall be inserted the words “or, as the case may be, the sheriff”; and
 - (c) at the end there shall be added the following subsection—

“(6) Any reference in this Part of this Act to a conviction of an offence includes a reference to a finding that the offence has been committed.”.