



# Criminal Justice (Scotland) Act 1995

## 1995 CHAPTER 20

### PART II

#### PROCEEDS OF CRIME AND PROPERTY USED IN CRIME

#### CHAPTER IV

##### RECIPROCAL ARRANGEMENTS FOR ENFORCEMENT OF ORDERS

#### **106 Enforcement of orders made outside United Kingdom.**

(1) Her Majesty may by Order in Council—

- (a) direct in relation to a country or territory outside the United Kingdom designated by the Order that, subject to such modifications as may be specified, Chapter I of this Part and Chapter III of this Part so far as it relates to realisable property shall apply in relation to external confiscation orders and to proceedings which have been or are to be instituted in the designated country and may result in an external confiscation order being made there;
- (b) make—
  - (i) such provision as to evidence or proof of any matter for the purposes of this section and section 107 of this Act; and
  - (ii) such incidental, consequential and transitional provision, as appears to Her Majesty to be expedient.

(2) In this Chapter—

“designated country” means a country or territory designated by an Order in Council made under this section; and

“external confiscation order” means an order made by a court in a designated country for the purpose of recovering payments or other rewards or property or other economic advantage received in connection with an offence corresponding with or similar to an offence to which Chapter I of

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**Status:** Point in time view as at 31/03/1996. This version of this provision has been superseded.

**Changes to legislation:** There are currently no known outstanding effects for the  
*Criminal Justice (Scotland) Act 1995, Section 106. (See end of Document for details)*

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this Part applies or the value of such payments, property, reward or economic advantage.

- (3) An Order in Council under this section may make different provision for different cases or classes of case.
- (4) The power to make an Order in Council under this section includes power to modify Chapter I of this Part or Chapter III of this Part so far as it relates to realisable property in such a way as to confer power on a person to exercise a discretion.
- (5) An Order in Council under this section shall be subject to annulment in pursuance of a resolution of either House of Parliament.

**Status:**

Point in time view as at 31/03/1996. This version of this provision has been superseded.

**Changes to legislation:**

There are currently no known outstanding effects for the Criminal Justice (Scotland) Act 1995, Section 106.