

2009 No. 224 (C. 18)

PROCEEDS OF CRIME

**The Serious Crime Act 2007 (Commencement No. 2) (Scotland)
Order 2009**

Made - - - -

3rd June 2009

The Scottish Ministers make the following Order in exercise of the powers conferred by section 94(3) and (4)(a), (b), (d) and (e) of the Serious Crime Act 2007^(a) and all other powers enabling them to do so.

Citation

1. This Order may be cited as the Serious Crime Act 2007 (Commencement No. 2) (Scotland) Order 2009.

Appointed Day

2.—(1) The day appointed for the coming into force of the following provisions of the Serious Crime Act 2007 is 18th June 2009—

- (a) section 75(4) and (5) (use of production orders for detained cash investigations);
- (b) section 76(4) to (6) (use of search warrants etc. for detained cash investigations);
- (c) section 77 (further provision about detained cash investigations) in so far as it relates to the provisions in sub-paragraph (d); and
- (d) in Schedule 10 (detained cash investigations: further provision)—
 - (i) paragraph 1 in so far as it relates to the following paragraphs of that Schedule;
 - (ii) paragraphs 14 to 23; and
 - (iii) paragraph 25 in so far as it extends to Scotland.

KENNY MACASKILL

A member of the Scottish Executive

St Andrew's House,
Edinburgh
3rd June 2009

EXPLANATORY NOTE

(This note is not part of the Order)

This Order commences provisions of the Serious Crime Act 2007 on 18th June 2009. Those provisions bring into force certain amendments to the Proceeds of Crime Act 2002 (c.29) which extend the use of production orders and search warrants to detained cash investigations.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

The following provisions of the Serious Crime Act 2007 have been brought into force by commencement order made before the date of this Order. Various provisions do not extend to Scotland. For the extent of the commenced provisions see section 93 of the Serious Crime Act 2007—

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I./S.S.I. No.</i>
Sections 85, 88, 92 (partially), Schedule 12 and Schedule 14 (partially)	15th February 2008	S.I. 2008/219
Sections 24(9) and (10), 37 (partially), 40(1), (2) and (4), 68(8), 71(1), (2), (4) and (5), 73 (partially), 74(1), 74(2)(d) and (g) (partially), 74(3), Schedule 2 (partially), Schedule 7 (partially), Schedule 8 (partially) and Schedule 9	1st March 2008	S.I. 2008/219
Section 74(2)(a), (b), (c), (d) (insofar as not already commenced) (e), (f) and (g) (insofar as not already commenced), 74(4), 77 (partially), 92 (partially), Schedule 8 (insofar as not already commenced), Schedule 10 (partially) and Schedule 14 (partially)	1st April 2008	S.I. 2008/755
Sections 1 to 23, 24(1) to (8), (11) and (12), 25 to 36, 37 (insofar as not already commenced), 38 and 39, 40(3) and (5) to (8), 41 to 43, 73 (insofar as not already commenced), 75(1) to (3), 76(1) to (3), 77 (partially), 78 to 84, 87, 91(1) (partially), Schedule 1, Schedule 2 (partially), Schedule 7 (insofar as not already commenced), Schedule 10 (partially), Schedule 11 and Schedule 13 (partially)	6th April 2008	S.I. 2008/755
Section 86	28th April 2008	S.S.I. 2008/152
Part 2 together with Schedules 3, 4, 5 and 6, section 68(1) to (7), sections 69 and 70, section 71(3) and (6), section 72, section 91(1) in so far as it relates to paragraphs 5, 6 and 8 of Schedule 13, paragraphs 5, 6 and 8 of Schedule 13, section 92 in so far as it relates to certain entries in Schedule 14 and Schedule 14 (partially)	1st October 2008	S.I. 2008/2504