

SCHEDULES

SCHEDULE 1

ADMINISTRATORS

Power to facilitate realisation

- 12 (1) Without prejudice to any enactment or rule of law in respect of the recording of deeds relating to heritable property or the registration of interests therein, the court, to facilitate realisation under paragraph 1 above, may—
- (a) order any person (in this paragraph referred to as “A”) holding an interest in property, not being such person (in this paragraph referred to as “B”) as is mentioned in ^{F1} . . . section 21 of this Act, to make such payment to an administrator appointed to realise estate comprising an interest of B in that property as the court may direct and may, subject to such payment being made—
 - (i) authorise the administrator to transfer B’s interest to A or to discharge it in favour of A; or
 - (ii) itself by order transfer or discharge B’s interest; or
 - (b) by order—
 - (i) transfer A’s interest to B; or
 - (ii) discharge it in favour of B,on the administrator making such payment to A out of that estate in respect of A’s interest as the court may direct.
- (2) The court may make such incidental provision in relation to any exercise of powers conferred on it by sub-paragraph (1) above as it considers appropriate; but it shall not exercise those powers without giving such persons as hold an interest in the property reasonable opportunity to make representations to it in that regard.

Textual Amendments

- F1** Words in [Sch. 1 para. 12\(1\)\(a\)](#) repealed (24.3.2003) by [Proceeds of Crime Act 2002 \(c. 29\)](#), ss. 456-458(1), [Sch. 11 para. 28\(3\)\(g\)](#), [Sch. 12](#); S.S.I. 2003/210, [art. 2](#), [Sch.](#) (subject to arts. 3-7)

Modifications etc. (not altering text)

- C1** [Sch. 1 para. 12](#) extended (E.W.) (17.4.2001) by [S.I. 2001/953](#), [art. 3\(4\)\(a\)\(i\)](#)

Changes to legislation:

There are currently no known outstanding effects for the Proceeds of Crime (Scotland) Act 1995,
Cross Heading: Power to facilitate realisation.