
Changes to legislation: There are currently no known outstanding effects for the Crime and Courts Act 2013, Paragraph 17. (See end of Document for details)

SCHEDULES

SCHEDULE 19

PROCEEDS OF CRIME: INVESTIGATIONS

PART 1

CIVIL RECOVERY INVESTIGATIONS

Search warrants: Scotland

- 17 (1) Section 388 (requirements where production order not available) is amended as follows.
- (2) In subsection (2), for paragraph (b) substitute—
- “(b) in the case of a civil recovery investigation—
- (i) the person specified in the application for the warrant holds recoverable property or associated property,
 - (ii) that person has, at any time, held property that was recoverable property or associated property at the time, or
 - (iii) the property specified in the application for the warrant is recoverable property or associated property;”.

(3) In subsection (7), for paragraph (a) substitute—

“(a) relates to the person or property specified in the application or to any of the questions listed in subsection (7ZA), and”.

(4) After that subsection insert—

“(7ZA) Those questions are—

 - (a) where a person is specified in the application, any question as to—
 - (i) what property the person holds or has held,
 - (ii) whether the property is or has been recoverable property or associated property, or
 - (iii) the nature, extent or whereabouts of the property, and
 - (b) where property is specified in the application, any question as to—
 - (i) whether the property is or has been recoverable property or associated property,
 - (ii) who holds it or has held it,
 - (iii) whether a person who appears to hold or to have held it holds or has held other property,
 - (iv) whether the other property is or has been recoverable property or associated property, or
 - (v) the nature, extent or whereabouts of the specified property or the other property.”

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Commencement Information

II Sch. 19 para. 17 in force at 1.6.2015 for E.W.S. by [S.I. 2015/964](#), **art. 2(d)** (with [art. 3](#))

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