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*Changes to legislation: There are currently no known outstanding effects for the Crime and Courts Act 2013, Cross Heading: Search warrants: Scotland. (See end of Document for details)*

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## SCHEDULES

### SCHEDULE 19

#### PROCEEDS OF CRIME: INVESTIGATIONS

##### PART 1

##### CIVIL RECOVERY INVESTIGATIONS

###### *Search warrants: Scotland*

- 16 (1) Section 387 (search warrants) is amended as follows.
- (2) In subsection (2), omit “property subject to”.
- (3) In subsection (3)(a), after “confiscation investigation” insert “ , a civil recovery investigation ”.

#### Commencement Information

**II** Sch. 19 para. 16 in force at 1.6.2015 for E.W.S. by [S.I. 2015/964](#), [art. 2\(d\)](#) (with [art. 3](#))

- 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

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- (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**

**I2** 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](#))

**Changes to legislation:**

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