
STATUTORY INSTRUMENTS

2003 No. 425

The Proceeds of Crime Act 2002 (Investigations in different parts of the United Kingdom) Order 2003

PART 2

ENFORCEMENT IN ENGLAND AND WALES OF SCOTTISH AND NORTHERN IRELAND ORDERS AND WARRANTS

Scottish account monitoring orders

12.—(1) This article applies where a Scottish account monitoring order is made in respect of a financial institution in England and Wales.

(2) The account monitoring order may be served—

- (a) by sending it by post, facsimile transmission or electronic mail to the person in possession of the material; or
- (b) by an English or Welsh appropriate officer or a constable of a police force in Scotland serving the order personally,

and the Summary Jurisdiction (Process) Act 1881, any rules of court as to the service of documents (other than rules of court made by virtue of section 446 of the Act) and any other requirements in law as to the service of documents do not apply.

(3) Section 404(7) of the Act (definition of account monitoring order) has effect with the modification that for “the proper person”, there is substituted “whichever of an English or Welsh appropriate officer, a constable of a police force in Scotland or an English or Welsh appropriate officer and a constable of a police force in Scotland acting together the order specifies”.

(4) The account monitoring order has effect as if it were an order of the Crown Court in England and Wales.

(5) Section 406 of the Act (statements) applies to criminal proceedings brought in England and Wales, as well as criminal proceedings brought in Scotland.

(6) Section 374 of the Act (disclosure of information) has effect as if the order were an English or Welsh account monitoring order.