SCOTTISH STATUTORY INSTRUMENTS

2003 No. 93

PROCEEDS OF CRIME

The Proceeds of Crime Act 2002 (Disclosure of Information to and by Lord Advocate and Scottish Ministers) Order 2003

Made - - - - 13th February 2003

Coming into force in accordance with article 1

The Scottish Ministers, in exercise of the powers conferred by sections 439(6) and 441(9) of the Proceeds of Crime Act 2002(**1**) and all other powers enabling them in that behalf, hereby make the following Order, a draft of which has, in accordance with section 459(6)(b) of that Act, been laid before and approved by resolution of the Scottish Parliament:

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Proceeds of Crime Act 2002 (Disclosure of Information to and by Lord Advocate and Scottish Ministers) Order 2003.

(2) This Order shall come into force on 24th February 2003 or, if this Order has not been made by 23rd February 2003, on the day after the day on which it is made.

(3) In this Order "the Act" means the Proceeds of Crime Act 2002.

Disclosure of information to Lord Advocate and to Scottish Ministers

2. For the purposes of section 439 of the Act, the persons listed in column 1 of the Schedule are designated as permitted persons in respect of the functions specified in relation to those persons in column 2 of the Schedule, being functions which the Scottish Ministers believe are of a public nature.

Disclosure of information by Lord Advocate and by Scottish Ministers

3. The functions designated for the purposes of section 441 of the Act, being functions which the Scottish Ministers think are of a public nature, are–

(a) protecting public health;

(b) the functions of the Financial Services Authority under the Financial Services and Markets Act 2000(**2**).

(**1**) 2002 c. 29. The power in section 439(6) is qualified by section 439(7) of the Act.
(**2**) 2000 c. 8.

St Andrew's House, Edinburgh
13th February 2003

HUGH HENRY
A member of the Scottish Executive