SCOTTISH STATUTORY INSTRUMENTS

2002 No. 569

PROCEEDS OF CRIME

The Proceeds of Crime Act 2002 (Cash Searches: Constables in Scotland: Code of Practice) Order 2002

Made - - - - 19th December 2002

Coming into force in accordance with article 1

Whereas–

(1) in terms of section 293 of the Proceeds of Crime Act 2002(**1**) ("the Act"), the Scottish Ministers are required to make a code of practice in connection with the exercise by constables in relation to Scotland of the powers conferred by section 289 of the Act (searches for cash);

(2) in pursuance of section 293(2) of the Act, the Scottish Ministers have published a draft of the code of practice, have considered representations made to them about the draft and have modified the draft of the code in the light of the representations;

(3) in pursuance of section 293(3) of the Act, the Scottish Ministers have laid a draft of the code of practice before the Scottish Parliament;

(4) a draft of this Order has been laid before the Scottish Parliament and approved in accordance with section 459(6)(b) of the Act;

Now, therefore, the Scottish Ministers, in exercise of the powers conferred by section 293(4) of the Act, hereby make the following Order:

Citation, Commencement and Extent

1.—(1) This Order may be cited as the Proceeds of Crime Act 2002 (Cash Searches: Constables in Scotland: Code of Practice) Order 2002 and shall come into force on 30th December 2002 or, if this Order has not been made by 29th December 2002, on the day after the day on which it is made.

(2) This Order extends to Scotland only.

Code of Practice

2. The code of practice entitled "Code of Practice for Constables in Scotland under the Proceeds of Crime Act 2002" laid in draft before the Scottish Parliament on 26th November 2002 shall come into operation on 30th December 2002 or, if later, the day after the day on which this Order is made.

(**1**) 2002 c. 29.