

SCHEDULE MODIFICATION OF ENACTMENTS

The 1995 Act

- 20 (1) In section 211 (fines) of the 1995 Act—
- (a) subsection (5) is repealed,
 - (b) in subsection (6)—
 - (i) the word “summary” is repealed,
 - (ii) for the words “clerk of court” there is substituted “clerk of any court, or to any other person (or class of person) authorised by the Scottish Ministers for the purpose,”,
 - (iii) the words “by him” are repealed.
- (2) In section 217 (fines: supervision pending payment) of that Act, after subsection (8) there is inserted—
- “(9) Where an enforcement order has been made under section 226B of this Act in relation to payment of the fine, the supervising officer shall, instead of reporting under subsection (8) above to the court, report under that subsection to the fines enforcement officer dealing with the order.”.
- (3) In section 222 (transfer of fine orders) of that Act—
- (a) in subsection (1)—
 - (i) for the words “the court” in the first place where they occur there is substituted “the clerk of court”,
 - (ii) for the words “the court” in the second place where they occur there is substituted “that clerk”,
 - (b) after subsection (1) there is inserted—

“(1A) Where a court has imposed a fine on a person convicted of an offence, and it appears to the clerk of court that there is a fine imposed by another court (of whatever kind) in the same sheriffdom, that clerk may order that payment of the fine is to be enforceable by that other court.”,
 - (c) in subsection (2), for the words “the sheriff court” there is substituted “the sheriff clerk”,
 - (d) in subsection (4)—
 - (i) after the word “Where” there is inserted “, in relation to a transfer of fine order made under subsection (1)(a) above”,
 - (ii) in paragraph (a), for the words “court specified in a transfer of fine order” there is substituted “clerk of the court specified in the order”.
- (4) In section 223 (transfer of fines: procedure for clerk of court) of that Act—
- (a) in subsection (1)—
 - (i) after the word “Where” there is inserted “the clerk of”,
 - (ii) for the words “the clerk of the court” in the first place where they occur there is substituted “that clerk”,
 - (b) in subsection (2), for the words “of the court which” there is substituted “of court who”,

Status: This is the original version (as it was originally enacted).

- (c) in subsection (4), for the words “the fine” in the first place where they occur there is substituted “a fine imposed by a court outwith Scotland”.