



# Criminal Proceedings etc. (Reform) (Scotland) Act 2007

2007 asp 6

## PART 2

### PROCEEDINGS

#### *Electronic proceedings*

#### **42 Further provision for summary cases**

- (1) The Scottish Ministers may, in relation to summary criminal proceedings, by order make provision for the purposes of or in connection with—
  - (a) using electronic complaints and other documents in electronic form,
  - (b) keeping, in electronic form, records of proceedings,
  - (c) allowing requirements as to formality (and validity) of documents to be satisfied by electronic means,
  - (d) using electronic communication.
- (2) Provision in an order under subsection (1) may, in particular, relate to—
  - (a) the availability of documents and records in electronic or other form to specified persons or classes of person,
  - (b) the authentication of—
    - (i) documents and records,
    - (ii) information contained in documents and records,
  - (c) the use of electronic signatures in documents and records.
- (3) An order under subsection (1) may make provision by amending the 1995 Act or otherwise.
- (4) In subsection (1), the expressions “electronic complaint” and “electronic communication” are to be construed by reference to section 308A (expressions relating to electronic proceedings) of the 1995 Act.

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**Changes to legislation:** Criminal Proceedings etc. (Reform) (Scotland) Act 2007, Section 42 is up to date with all changes known to be in force on or before 26 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

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#### Commencement Information

**II**    [S. 42](#) in force at 1.11.2012 by [S.S.I. 2012/274](#), art. 2, [Sch.](#)

**Changes to legislation:**

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**Changes and effects yet to be applied to :**

- s. 42 repealed by [2016 asp 1 s. 111\(3\)](#)
- specified provision(s) Appointed Day(s) by [S.S.I. 2009/116 art. 3Sch.](#) (Effect not applied to [legislation.gov.uk](#). Order revoked (10.6.2009) by S.S.I. 2009/238, art. 1(2))