

SCHEDULE CONSEQUENTIAL AMENDMENTS

Criminal Justice and Licensing (Scotland) Act 2010

- 19 In section 141 (application for section 145 order)—
- (a) in subsection (1), for “or (3)” substitute “, (3) or (3A)”,
 - (b) after subsection (3) insert—
 - “(3A) The conditions are that—
 - (a) by virtue of section 140B(2)(b), 140C(2) or 140D(3)(b) the prosecutor is required to disclose an item of information to a respondent,
 - (b) the information is not likely to form part of the evidence to be led or relied on by the prosecutor in the proceedings, and
 - (c) the prosecutor considers that subsection (4) applies.”