

SCHEDULE CONSEQUENTIAL AMENDMENTS

Criminal Procedure (Scotland) Act 1995

- 9 In section 109 (intimation of intention to appeal), after subsection (1) insert—
- “(1A) Where a person desires to appeal under section 106(1)(a) of this Act by virtue of section 11(7) of the Double Jeopardy (Scotland) Act 2011 (asp 16), subsection (1) applies with the following modifications—
- (a) for the words “two weeks of the final determination of the proceedings” substitute “two weeks of the date on which the person is acquitted of an offence mentioned in section 11(2) of the Double Jeopardy (Scotland) Act 2011 (asp 16)”; and
 - (b) the reference to identifying the proceedings is to be construed as a reference to identifying—
 - (i) the proceedings which resulted in the conviction desired to be appealed; and
 - (ii) the proceedings which resulted in the person’s acquittal as mentioned in section 11(7) of the Double Jeopardy (Scotland) Act 2011 (asp 16).
- (1B) Subsections (5) to (9) of section 106 of this Act do not apply where the modifications specified in subsection (1A) apply.”