



Regulatory Reform (Scotland) Act 2014

2014 asp 3

PART 3

ENVIRONMENTAL REGULATION

CHAPTER 4

MISCELLANEOUS

Publicity and remediation orders: appeals by prosecutor

44 Orders under sections 36 and 41: prosecutor's right of appeal

- (1) The Criminal Procedure (Scotland) Act 1995 is amended in accordance with this section.
- (2) In section 108 (Lord Advocate's rights of appeal against disposal)—
 - (a) in subsection (1), after paragraph (ca) insert—
 - “(cb) a decision under section 36(2) of the Regulatory Reform (Scotland) Act 2014 not to make a publicity order;
 - (cc) a decision under section 41(2) of that Act not to make a remediation order;”
 - (b) in subsection (2)(b)(ii), for the words “or (ca)” substitute “, (ca), (cb) or (cc)”.
- (3) In section 175 (right of appeal from summary proceedings)—
 - (a) in subsection (4), after paragraph (ca) insert—
 - “(cb) a decision under section 36(2) of the Regulatory Reform (Scotland) Act 2014 not to make a publicity order;
 - (cc) a decision under section 41(2) of that Act not to make a remediation order;”
 - (b) in subsection (4A)(b)(ii), for “or (ca)” substitute “, (ca), (cb) or (cc)”.