

*These notes relate to the Criminal Justice (Scotland) Act 2016  
(asp 1) which received Royal Assent on 13 January 2016*

# **CRIMINAL JUSTICE (SCOTLAND) ACT 2016**

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## **EXPLANATORY NOTES**

### **OVERVIEW OF THE ACT**

#### **Part 2 – Search by Police**

#### *Chapter 2 – Code of practice*

#### **Making and status of code**

#### *Section 75 – Legal status of code of practice*

180. *Section 75* provides for the legal status of the code of practice. A court or tribunal in civil or criminal proceedings must take into account the code of practice (including, therefore, any breach of the code) when determining any questions arising in the proceedings to which the code is relevant.