



Criminal Procedure (Amendment) (Scotland) Act 2004

2004 asp 5

PART 4

MISCELLANEOUS AND GENERAL

Miscellaneous

20 Sentence following guilty plea

- (1) Section 196 (sentence following guilty plea) of the 1995 Act is amended as follows.
- (2) In subsection (1), for “may” substitute “ shall ”.
- (3) After subsection (1) insert—

“(1A) In passing sentence on an offender referred to in subsection (1) above, the court shall—

- (a) state whether, having taken account of the matters mentioned in paragraphs (a) and (b) of that subsection, the sentence imposed in respect of the offence is different from that which the court would otherwise have imposed; and
- (b) if it is not, state reasons why it is not.”.

Commencement Information

II S. 20 in force at 4.10.2004 by [S.S.I. 2004/405](#), [art. 2\(1\)](#), [sch. 1](#) (with [arts. 3-5](#))

Changes to legislation:

There are currently no known outstanding effects for the Criminal Procedure (Amendment) (Scotland) Act 2004, Section 20.