
DRAFT SCOTTISH STATUTORY INSTRUMENTS

2008 No.

**The Criminal Procedure (Scotland)
Act 1995 Fixed Penalty Order 2008**

Citation, commencement and saving

1.—(1) This Order may be cited as the Criminal Procedure (Scotland) Act 1995 Fixed Penalty Order 2008 and, subject to paragraph (2), comes into force on 10th March 2008.

(2) This Order shall not apply in respect of any conditional offer (under section 302 of the Criminal Proceedings (Scotland) Act 1995) made before 10th March 2008.

Scale of fixed penalties

2. For the purposes of section 302 (fixed penalty: conditional offer by procurator fiscal) of the Criminal Procedure (Scotland) Act 1995 the scale of fixed penalties in the Schedule to this Order is prescribed.

Revocation

3. Subject to article 1(2) of this Order, the Criminal Justice (Scotland) Act 1987 Fixed Penalty Order 1996(1) is revoked.

St Andrew's House,
Edinburgh
2008

A member of the Scottish Executive

(1) S.I.1996/617. The Criminal Justice (Scotland) Act 1987 Fixed Penalty Order 1996 was made under the powers given to the Secretary of State by section 56(7) and 7(A) of the Criminal Justice (Scotland) Act 1987 (c. 41). Section 56 was repealed by section 6 of and Schedule 5 to the Criminal Procedure (Consequential Provisions) (Scotland) Act 1995 (c. 40); however, the power was re-enacted in section 302(7) of the Criminal Procedure (Scotland) Act 1995. Section 2(2) of the Criminal Procedure (Consequential Provisions) (Scotland) Act 1995 operates so that the Criminal Justice (Scotland) Act 1987 Fixed Penalty Order 1996 continues to have effect as if made under section 302 of the Criminal Procedure (Scotland) Act 1995.