

**2012 No. 249 (C. 22)**

**CRIMINAL LAW**

**The Criminal Cases (Punishment and Review) (Scotland) Act  
2012 (Commencement, Transitional and Savings) Order 2012**

*Made* - - - - - *10th September 2012*

*Laid before the Scottish Parliament* *12th September 2012*

*Coming into force* - - - *24th September 2012*

The Scottish Ministers make the following Order in exercise of the powers conferred by section 5(2) and (3) of the Criminal Cases (Punishment and Review) (Scotland) Act 2012(a).

**Citation and commencement**

1. This Order may be cited as the Criminal Cases (Punishment and Review) (Scotland) Act 2012 (Commencement, Transitional and Savings) Order 2012 and comes into force on 24th September 2012.

**Interpretation**

2.—(1) In this Order, “the Act” means the Criminal Cases (Punishment and Review) (Scotland) Act 2012.

(2) For the purposes of this Order, criminal proceedings are solemn proceedings which are taken to have commenced on the date on whichever of the following first occurs—

- (a) the grant of a warrant to arrest and commit;
- (b) the intimation of a petition; or
- (c) the service of an indictment.

**Appointed day**

3. 24th September 2012 is the appointed day for the coming into force of all provisions of the Act so far as not already in force.

**Transitional and savings provision**

4. The commencement of subsections (1), (2) and (3) of section 1 of the Act is of no effect in respect of criminal proceedings commenced before 24th September 2012.

St Andrew's House,  
Edinburgh  
10th September 2012

*KENNY MACASKILL*  
A member of the Scottish Government

## **EXPLANATORY NOTE**

*(This note is not part of the Order)*

This Order brings into force on 24th September 2012 those provisions of the Criminal Cases (Punishment and Review) (Scotland) Act 2012 which are not already in force.

The Act received Royal Assent on 26th July 2012. Section 5 of the Act came into force on the day after Royal Assent, 27th July 2012. The remaining provisions of the Act come into force on 24th September 2012.

Article 4 of the Order provides that section 1(1), (2) and (3) of the Act applies in respect of solemn criminal proceedings commenced on or after 24th September 2012, irrespective of when the offence was committed.

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