

SCHEDULES

SCHEDULE 9

AMENDMENT OF OTHER ENACTMENTS

The Jurors (Scotland) Act 1825 (1825 c. 22)

1 In section 7, for the words from the beginning to " case may be " there shall be substituted the words

“The Court of Session may by Act of Sederunt”,
and for the words from " those courts" to "Edinburgh" there shall be substituted the words

“that court”.

2 In section 10, for the words " court whatsoever " there shall be substituted the words

“civil court”.

3 In section 13, after the word " several" there shall be inserted the words

“civil jury”.

4 In section 19, after the word " several" there shall be inserted the word

“civil”.

The Criminal Law (Scotland) Act 1830 (1830 c.37)

5 In section 7, for the words from " cause " to " criminal" there shall be substituted the words

“civil cause or proceeding”.

The Interpretation Act 1889 (1889 c. 63)

6 In section 13(8), at the end there shall be added the words

“and shall include Part II of the Criminal Procedure (Scotland) Act 1975 and any Act amending that Part of that Act”.

The Children and Young Persons (Scotland) Act 1937 (1937 c. 37)

7 In section 57(3), for the words "this section" there shall be substituted the words

“section 206 of the Criminal Procedure (Scotland) Act 1975”.

8 In section 58A(2), for the words " this section " there shall be substituted the words

“section 413 of the Criminal Procedure (Scotland) Act 1975”.

Status: This is the original version (as it was originally enacted).

9 In section 62(b), for the words from " subsection (2)" to the end there shall be substituted the words

“subsection (2) of section 206 of the Criminal Procedure (Scotland) Act 1975 ; or”.

10 In section 87, in subsections (1) and (3), after the words " Act 1963 " there shall be inserted the words

“and of the Criminal Procedure (Scotland) Act 1975”,
and for the words " section 58A of this Act" there shall be substituted the words

“section 413 of the said Act of 1975”.

11 In section 105(1), for the words from " provided " to the end of the subsection, there shall be substituted the words

“provided by the Criminal Procedure (Scotland) Act 1975”.

12 In section 110(1), the definitions of "commit for trial" and " remand " shall be omitted.

The Law Officers Act 1944 (1944 c. 25)

13 In section 2, in the proviso, at the end there shall be added the words

“or section 42 of the Criminal Procedure (Scotland) Act 1975”.

The Criminal Justice (Scotland) Act 1949 (1949 c. 94)

14 In section 42(2), for the words " the Summary Jurisdiction (Scotland) Act 1908 " there shall be substituted the words

“Part II of the Criminal Procedure (Scotland) Act 1975”.

The Magistrates' Courts Act 1952 (1952 c. 55)

15 In section 72J3—

(a) in subsection (1), for the words from " section 44 " to " Act 1954" and the words "Act of 1954" there shall be substituted respectively the words

“section 403 of the Criminal Procedure (Scotland) Act 1975”and " Act of 1975 ";

(b) in subsection (2), for the words "section 49(1) of the said Act of 1954 " there shall be substituted the words

“section 407 of the said Act of 1975”; and

(c) in subsection (3), for the words from " section 44 " to " Act 1954 " and the words " Act of 1954 " there shall be substituted respectively the words

“the said section 403”and " Act of 1975 ".

The Prisons (Scotland) Act 1952 (1952 c. 61)

16 In section 32(2), after the words " Act of 1963 " there shall be inserted the words

“and of the Criminal Procedure (Scotland) Act 1975”.

Status: This is the original version (as it was originally enacted).

The Mental Health (Scotland) Act 1960 (1960 c. 61)

- 17 In section 58(1), after the words " hospital order " there shall be inserted the words
"made under section 175 or 376 of the Criminal Procedures (Scotland) Act 1975".
- 18 In section 58(2), after the word " order " there shall be inserted the words
"made under the said section 175 or 376".
- 19 In section 58(4), for the words " subsection (4) of section sixty of this Act" there
shall be substituted the words '
"section 178(3) or 379(3) of the said Act of 1975".
- 20 In section 59(2), for the words " said period of twenty-eight days" there shall be
substituted the words
"period of 28 days referred to in section 58(1) of this Act".
- 21 In section 60(3), after the word "discharge" there shall be inserted the words
"made under section 178 or 379 of the Criminal Procedure (Scotland) Act 1975".
- 22 In section 60(5), for the words " the last foregoing subsection " there shall be
substituted the words
"section 178(3) or 379(3) of the said Act of 1975".
- 23 In section 64(3), for the words from " subsection " to the end there shall be
substituted the words
"section 174(3) of the Criminal Procedure (Scotland) Act 1975".
- 24 In section 66(7)(a), for the words from " section 63 " to " Act 1926" there shall be
substituted the words
"section 174 or 255 of the Criminal Procedure (Scotland) Act 1975".
- 25 In section 67, in subsection (1), after the words " set out in " there shall be inserted
the words
"subsection (3) of",
and in subsection (2), for the words " the said section sixty " there shall be
substituted the words
"section 178 or 379 of the Criminal Procedure (Scotland) Act 1975".
- 26 In section 68, in subsection (1), for the words " this Part of this Act" there shall be
substituted the words
"section 175, 178, 376 or 379 of the Criminal Procedure (Scotland) Act 1975",
and in subsection (3)(a), for the words from " subsection" to " Act" there shall be
substituted the words
"section 175(7) or 376(10) of the said Act of 1975".
- 27 In section 72(3), the words " and (4) " shall be omitted, and after the word
"sixty-one"
"and in section 178(3) or 379(3) of the Criminal Procedure (Scotland) Act 1975".

Status: This is the original version (as it was originally enacted).

28 In section 111(1), in the definition of "hospital order" and " guardianship order ",
 for the words " section fifty-five of this Act" there shall be substituted the words
 “section 175 or 376 of the Criminal Procedure (Scotland) Act 1975”.

29 In section 111(4), after the words "Part V of this Act" there shall be inserted the
 words

“or under section 174, 175, 178, 375, 376 or 379 of the Criminal Procedure
 (Scotland) Act 1975”,

and after the words " the said Part V " there shall be inserted the words

“or any of the provisions of the said sections”.

The Criminal Justice Act 1961 (1961 c. 39)

30 In section 32(2), after paragraph (h) there shall be inserted the following paragraph

—
 “(i) sections 214 and 423 of the Criminal Procedure (Scotland) Act
 1975”.

The Criminal Justice (Scotland) Act 1963 (1963 c. 39)

31 In section 2(1), in paragraph (d), after the words "Act 1963 " there shall be inserted
 the words

“or the Criminal Procedure (Scotland) Act 1975”.

32 In section 9(2), after the words " purposes of this Act" there shall be inserted the
 words

“and of the Criminal Procedure (Scotland) Act 1975”.

33 In section 10(3), after the words "this Act" there shall be inserted the words

“and of the Criminal Procedure (Scotland) Act 1975”.

34 In section 11(1) and in proviso (b) to section 11(2), for the words " section 7 of this
 Act" there shall be substituted the words

“section 209 or 418 of the Criminal Procedure (Scotland) Act 1975”.

35 In section 26(2), paragraph (a) shall be omitted, and for the words from ' the section
 “to”

“the sections set out in Part II of Schedule 3 to this Act”.

36 In Schedule 1, in paragraph 11, for the words " paragraphs 4 to 7" there shall be
 substituted the words

“sections 214(1) to (6) and 423(1) to (6) of the Criminal Procedure (Scotland) Act
 1975”,

and for the words from " substituted sub-paragraphs

“to the end there shall be substituted the words”substituted paragraphs (a) and (b)
 of section 214(2) or 423(2) of the said Act of 1975 ”.

Status: This is the original version (as it was originally enacted).

- 37 In Schedule 1, in paragraph 13, for the words from " paragraph 8 " to " this Schedule " there shall be substituted the words
“section 214(7) or 423(7) of the Criminal Procedure (Scotland) Act 1975 (and, if that person is released from such a prison under the said section 214(7) or 423(7), paragraph 2 of this Schedule)”.
- 38 In Schedule 1, in paragraph 14, after the word "Schedule" there shall be inserted the words
“or section 214 or 423 of the Criminal Procedure (Scotland) Act 1975”.
- 39 In Schedule 1, in paragraph 15, for the words "Part I of this Schedule" there shall be substituted the words
“section 214 or 423 of the Criminal Procedure (Scotland) Act 1975”.

The Criminal Justice Act 1967 (1967 c. 80)

- 40 In section 61(4)(a), for the words " section 57 and 57(2) of, die Children and Young Persons (Scotland) Act 1937 " there shall be substituted the words
“section 206 and 206(2) of the Criminal Procedure (Scotland) Act 1975”.
- 41 In section 62, in subsections (9) and (10), after the words " this section" there shall be inserted the words
“or section 213(1) or 422(1) of the Criminal Procedure (Scotland) Act 1975”,
and in subsection (11), for the words from "or section" to "crimes)" there shall be substituted the words
“(young offenders convicted of grave crimes) or section 206 of the said Act of 1975 (Punishment of person under 18),”.

The Social Work (Scotland) Act 1968 (1968 c. 49)

- 42 In section 37, in subsection (2), for the words from " Children " to "that Act" there shall be substituted the words
“Criminal Procedure (Scotland) Act 1975 or any offence under section 21(1) of the Children and Young Persons (Scotland) Act 1937”,
and in subsection (4), for the words from " section 40(3)" to " 1937 " there shall be substituted the words
“section 14(1), 296(3) or 323(1) of the said Act of 1975”.
- 43 In section 56(5), for the words " as aforesaid " there shall be substituted the words
“under section 173 or 372 or 373 of the Criminal Procedure (Scotland) Act 1975”.
- 44 In section 57(2), for the words " the foregoing subsection " there shall be substituted the words
“373 of the Criminal Procedure (Scotland) Act 1975”.

Status: This is the original version (as it was originally enacted).

The Children and Young Persons Act 1969 (1969 c. 54)

45 In Schedule 5, in paragraph 53, for the words " The said sections 39 and 49 " there shall be substituted the words

“Sections 39 and 49 of the principal Act”,
 and for the words " sections 46 and 54 " wherever those words occur there shall be substituted the words

“section 46”.

46 In Schedule 5, in paragraph 78, for the words from " section 58A " to the words " that section " there shall be substituted the words

“section 413 of the Criminal Procedure (Scotland) Act 1975 and is not released under section 58A(3) of the said Act of 1937”.

The Immigration Act 1971 (1971 c. 77)

47 In section 6(2), for the words " section 26 of the Criminal Justice (Scotland) Act 1949 " there shall be substituted the words

“section 179 or 380 of the Criminal Procedure (Scotland) Act 1975”.

The Criminal Justice Act 1972 (1972 c. 71)

48 In section 24, for subsection (4) there shall be substituted the following subsection

—
 “(4) References in this section to facilitating the commission of an offence include references to the taking of any steps after it has been committed for the purpose of disposing of any property to which it relates or of avoiding apprehension or detection.”

49 In section 51(2), for the words " section 39(1) of the Criminal Justice (Scotland) Act 1963 " there shall be substituted the words

“sections 17(1) and 325(1) of the Criminal Procedure (Scotland) Act 1975”.

The Powers of Criminal Courts Act 1973 (1973 c. 62)

50 In section 10—

(a) in subsection (3)(a), for the words from " subsection (2)" to " Act 1949 " there shall be substituted the words

“section 184(2) or 385(2) of the Criminal Procedure (Scotland) Act 1975”,

and after the words "Act and" there shall be inserted the words

“section 184 or 385”;

(b) in subsection (3)(b), for the words " section 3 " there shall be substituted the words

“section 184 or 385”,

and for the words " virtue of section 3 " there shall be substituted the words

“virtue of section 184 or 385”;

Status: This is the original version (as it was originally enacted).

- (c) in subsection (4), for the words from " Criminal " to " and 6 " there shall be substituted the words
 “Criminal Procedure (Scotland) Act 1975, except sections 186(2)(b), 187, 387(2)(b) and 388”,
 and for the words " section 2 " there shall be substituted the words
 “section 183 or 384”;
- (d) in subsections (5) and (6), for the words from " Criminal" to " 1949 " there shall be substituted the words
 “Criminal Procedure (Scotland) Act 1975”; and
- (e) in subsection (8), for the words from " section 7 " to " 1949 " there shall be substituted the words
 “section 188 or 389 of the Criminal Procedure (Scotland) Act 1975”,
 and for the words " section 2 " there shall be substituted the words
 “section 183 or 384”.

The Health and Safety at Work etc. Act 1974 (1974 c. 37)

- 51 In section 34(5)(b), for the words "23(2) of the Summary Jurisdiction (Scotland) Act 1954" there shall be substituted the words
 “331(3) of the Criminal Procedure (Scotland) Act 1975”.