



# Criminal Procedure (Scotland) Act 1975

## 1975 CHAPTER 21

### PART II

#### SUMMARY PROCEDURE

#### CONVICTION AND SENTENCE

#### *Fines*

#### **407 Period of imprisonment for non-payment of fine**

- (1) The maximum period of imprisonment that may be imposed in default of payment of any sum imposed by a court of summary jurisdiction as a fine or for failure to find caution shall be as follows:—

<i>Amount of sum imposed</i>	<i>Period of imprisonment</i>
Not exceeding £2	7 days
Exceeding £2 but not exceeding £5	14 days
Exceeding £5 but not exceeding £20	30 days
Exceeding £20 but not exceeding £50	60 days
Exceeding £50	90 days

- (2) If in any sentence or extract sentence the period of imprisonment inserted in default of payment of a fine or on failure to find caution is in excess of that competent under this Part of this Act, such period of imprisonment shall be reduced to the maximum period under this Part of this Act applicable to such default or failure, and the judge who pronounced the sentence shall have power to order the sentence or extract to be corrected accordingly.

- (3) The periods of imprisonment set forth in subsection (1) of this section shall apply to the non-payment of any sum imposed as aforesaid by a court of summary

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*Status: This is the original version (as it was originally enacted).*

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jurisdiction under a statute or order passed or made before the first day of June 1909, notwithstanding that that statute or order fixes any other period of imprisonment.

- (4) The provisions of this section shall be without prejudice to the operation of section 409 of this Act.