SCHEDULES

[F1]SCHEDULE 1

Textual Amendments

F1 Schs. 1- 4 repealed (1.4.1996) by 1995 c. 40, ss. 6, 7(2), **Sch. 5** (with Sch. 3 Pt. II paras. 1, 16, 17) and subject to an amendment (1.4.1996) by 1995 c. 25, s. 120(1), **Sch. 22**, para. 35; S.I. 1996/186, **art. 3** (with s. 7(6), s. 115, s. 117)

[F2]SCHEDULE 2

. . . . . .

Textual Amendments

F2 Schs. 1-4 repealed (1.4.1996) by 1995 c. 40, ss. 6, 7(2), **Sch. 5** (with Sch. 3 Pt. II paras. 1, 16, 17)

[F3]SCHEDULE 3

. . . . . .

Textual Amendments

F3 Schs. 1-4 repealed (1.4.1996) by 1995 c. 40, ss. 6, 7(2), **Sch. 5** (with Sch. 3 Pt. II paras. 1, 16, 17)

[F5]SCHEDULE 4

. . . . . .

Textual Amendments

F5 Sch. 1- 4 repealed (1.4.1996) by 1995 c. 40, s. 4, 6, **Sch. 5** (with Sch. 3 Pt. II, paras. 1, 16, 17)

Changes to legislation: *There are currently no known outstanding effects for the Criminal Justice (Scotland) Act 1980. (See end of Document for details)*

SCHEDULE 5

. . . . . [F7]

Textual Amendments

F7 Sch. 5, Sch. 7 paras. 1–6, 14, 15, 17–20 repealed by Prisons (Scotland) Act 1989 (c. 45, SIF 39:1), s. 45(2), **Sch. 3**

SCHEDULE 6

Section 83(1).

TRANSITIONAL PROVISIONS

1 A provision contained in any of sections 6, 12 to 17, 26, 28, 29, 31, 36, 40 to 42 and 46(1)(b) of, and Schedules 1 and 4 to, this Act and any related amendment or repeal provided for in Schedule 7 or 8 to this Act, shall not apply in relation to proceedings which have been instituted before the coming into force of that provision; and, for the purposes of this paragraph, proceedings shall be taken to have been instituted on the day on which the petition or complaint is served on the accused.

2 A provision contained in any of sections 18(2), 19, 21, 22, 27, 30 and 39 of this Act, and any such related amendment or repeal, shall not apply in relation to a trial which has commenced before the coming into force of that provision; and, for the purposes of this paragraph, a trial shall be taken to commence—

(a) in the case of solemn proceedings, when the oath is administered to the jury;

(b) in the case of summary proceedings, when the first witness is sworn.

3 A provision contained in any of sections 47, 48, 50 and 52 of this Act, and any such related amendment or repeal, shall not apply in relation to the enforcement of any fine or caution imposed before the coming into force of that provision.

4 A provision contained in any of sections 46(1)(a), (c) and (d), 56(1) and 57 of this Act shall not affect the punishment for an offence committed before the coming into force of that provision.

5 A person serving a sentence of borstal training on the date when section 45 of this Act comes into force, shall be liable to be detained in a young offenders institution, but in every other respect shall be liable to be dealt with as if the said section had not come into force.

6 Sections 33, 35 and 37 of, and Schedule 2 to, this Act shall not apply in relation to an appeal against, or review of, an order made on the final determination of a solemn prosecution before the coming into force of those sections and that Schedule.

7 Section 34 of, and Schedule 3 to, this Act shall not apply in relation to an appeal against an order made on the final determination of a summary prosecution before the coming into force of that section and Schedule.

8 A provision contained in paragraph 24 of Schedule 7 to this Act shall not affect the operation of the [M1]Rehabilitation of Offenders Act 1974 as regards any disposal which predates the coming into force of that provision.

Marginal Citations

M1 1974 c. 53.

9 In the application of section 66 of this Act to proceedings instituted before the coming into force of the [M2]Magistrates' Courts Act 1980, for the reference to section 91 of that Act in subsection (1) of the said section 66 there shall be substituted a reference to section 72B of the [M3]Magistrates' Courts Act 1952.

Marginal Citations

M2 1980 c. 43.
M3 1952 c. 55.

10 In the application of section 38A of the [M4]Criminal Law Act 1977 to the execution of extract convictions and warrants before the coming into force of the [M5]Magistrates' Courts Act 1980, for the reference to section 150(3) of the said Act of 1980 in the said section 38A there shall be substituted a reference to section 102(4) of the Magistrates' Courts Act 1952.

Marginal Citations

M4 1977 c. 45.
M5 1980 c. 43.

SCHEDULE 7

Section 83(2).

MINOR AND CONSEQUENTIAL AMENDMENTS

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

1—6 . . . . . [F8]

Textual Amendments

F8 Sch. 5, Sch. 7 paras. 1–6, 14, 15, 17–20 repealed by Prisons (Scotland) Act 1989 (c. 45, SIF 39:1), s. 45(2), **Sch. 3**

7 . . . . . [F9]

Textual Amendments

F9 Sch. 7 paras. 7, 12, 50 repealed by Criminal Justice Act 1982 (c. 48), **Sch. 16**

8 In section 29(1) (removal for judicial purposes) after the words "young offenders centre" there shall be inserted the words " , young offenders institution ".

Changes to legislation: *There are currently no known outstanding effects for the Criminal Justice (Scotland) Act 1980. (See end of Document for details)*

Modifications etc. (not altering text)

C1 The text of Schs. 2–4, Sch. 7 paras 8–11, 13, 16, 21, 24–49, 51–79 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

9 In section 30(3) (prisoners unlawfully at large) after the words "young offenders centre" there shall be inserted the words " , young offenders institution ".

Modifications etc. (not altering text)

C2 The text of Schs. 2–4, Sch. 7 paras 8–11, 13, 16, 21, 24–49, 51–79 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

10 In section 32(2) (extension throughout the United Kingdom of certain enactments relating to supervision and recall)—

(a) paragraph (*b*) shall cease to have effect ;

(b) in paragraph (*f*), the word "11" shall cease to have effect ; and

(c) in paragraph (i) for the words "214" there shall be substituted the words "212, 214, 421".

Modifications etc. (not altering text)

C3 The text of Schs. 2–4, Sch. 7 paras 8–11, 13, 16, 21, 24–49, 51–79 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

11 In section 38 (construction of references to sentence of imprisonment)—

(a) in subsection (3)(*a*)—

(i) the words "corrective training, preventive detention," shall cease to have effect ;

(ii) at the end there shall be added the words " or young offenders institution " ; and

(b) in subsection (5)(*a*), the words "in a young offenders institution" shall cease to have effect.

Modifications etc. (not altering text)

C4 The text of Schs. 2–4, Sch. 7 paras 8–11, 13, 16, 21, 24–49, 51–79 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

12 . . . . . **F10**

Textual Amendments

F10 Sch. 7 paras. 7, 12, 50 repealed by Criminal Justice Act 1982 (c. 48), **Sch. 16**

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

13 In section 9(4)(*a*) (transfer between institutions), after the words "1957" there shall be inserted the words " the Armed Forces Act 1976 ".

Modifications etc. (not altering text)

C5 The text of Schs. 2–4, Sch. 7 paras 8–11, 13, 16, 21, 24–49, 51–79 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

14, 15. . . . . **F11**

Textual Amendments

F11 Sch. 5, Sch. 7 paras. 1–6, 14, 15, 17–20 repealed by Prisons (Scotland) Act 1989 (c. 45, SIF 39:1), s. 45(2), **Sch. 3**

The Legal Aid (Scotland) Act 1967 (c.43)

16 In section 1 (scope and general conditions of legal aid), at the end of subsection (7) there shall be added the following proviso—

" :Provided that nothing in this section shall preclude a person from being given legal aid in connection with summary proceedings after conviction and before sentence where the court is considering a sentence of imprisonment or detention or the imposition of imprisonment, or detention, under section 396(2) of the Criminal Procedure (Scotland) Act 1975 in respect of failure to pay a fine, and he has not previously been sentenced to imprisonment, or detention as defined in section 41(2)(b) of the Criminal Justice (Scotland) Act 1980. "..

Modifications etc. (not altering text)

C6 The text of Schs. 2–4, Sch. 7 paras 8–11, 13, 16, 21, 24–49, 51–79 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

17—20. . . . . **F12**

Textual Amendments

F12 Sch. 5, Sch. 7 paras. 1–6, 14, 15, 17–20 repealed by Prisons (Scotland) Act 1989 (c. 45, SIF 39:1), s. 45(2), **Sch. 3**

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

[F13]21 . . . . . .

Textual Amendments

F13 Sch. 7 para. 21 repealed (1.4.1997) by 1995 c. 36, s. 105(4)(5), Sch. 4, para. 29(3), **Sch. 5**; S.I. 1996/3201, **art. 3(7)** (with s. 103(1))

[F14 The Road Traffic Act 1972 (c. 20)

Textual Amendments

F14 Sch. 7 para. 22 repealed (*prosp.*) by Transport Act 1981 (c. 56, SIF 107:1), **Sch. 12 Pt. III**

22 In section 10(4) (evidence by certificate)—

(a) after the word "Scotland" there shall be inserted " (a) "; and

(b) at the end there shall be inserted the following paragraph—

"(b) A written execution purporting to be signed by the person who served a copy of the certificate or of the notice in terms of subsection (3) above, together with, where appropriate, a post office receipt for the relative registered or recorded delivery letter shall be sufficient evidence of service of such a copy.".**]**

Modifications etc. (not altering text)

C7 The text of Sch. 7 para. 22, Sch. 8 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

23 . . . . . [F15]

Textual Amendments

F15 Sch. 7 para. 23 repealed by Road Traffic (Consequential Provisions) Act 1988 (c. 54, SIF 107:1), s. 3, **Sch. 1 Pt. I**

The Rehabilitation of Offenders Act 1974 (c. 53)

24 In section 5 (rehabilitation periods for particular sentences)—

(a) in subsection (1)(d)—

(i) after the word "life", there shall be inserted the words " or under section 205(2) or (3) of the Criminal Procedure (Scotland) Act 1975, " ; and

(ii) for the words "or under section 57 of the Children and Young Persons (Scotland) Act 1937 (young offenders convicted of grave crimes)" there shall be substituted the words " (young offenders

convicted of grave crimes) or under section 206 of the said Act of 1975 (detention of children convicted on indictment) " ;

(b) in subsection (2), in Table B, in the first column—

(i) for the words "57 of the said Act of 1937" there shall be substituted the words " 206 of the Criminal Procedure (Scotland) Act 1975 " ; and

(ii) the words "or under section 7 of the Criminal Justice (Scotland) Act 1963" shall cease to have effect ;

(c) in subsection (5) for paragraph (c) there shall be substituted the following paragraph—

"(c) an order under section 413 of the Criminal Procedure (Scotland) Act 1975 committing a child for the purpose of his undergoing residential training ;" ; and

(d) in subsection (9)—

(i) in paragraph (a), for the words "in a young offenders institution in Scotland" there shall be substituted the words " under section 207 or 415 of the Criminal Procedure (Scotland) Act 1975 " ; and

(ii) in paragraph (*b*) for the words "section 57 of the said Act of 1937" there shall be substituted the words " section 206 of the said Act of 1975 ".

Modifications etc. (not altering text)

C8 The text of Schs. 2–4, Sch. 7 paras 8–11, 13, 16, 21, 24–49, 51–79 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

The Criminal Procedure (Scotland) Act 1975 (c.21)

[F16]25 . . . . . .

Textual Amendments

F16 Sch. 7 paras. 25-78 repealed (1.4.1996) by 1995 c. 40, ss. 6, 7(2), **Sch. 5** (with Sch. 3 Pt. II paras. 1, 16, 17)

[F17]26 . . . . . .

Textual Amendments

F17 Sch . 7 paras. 25-78 repealed (1.4.1996) by 1995 c. 40, s. 6, 7(2), **Sch 5**(with Sch.3 Pt.11, paras. 1, 16, 17)

[F18]27 . . . . . .

Textual Amendments

F18 Sch. 7 paras. 25-78 repealed (1.4.1996) by 1995 c. 40, ss. 6, 7(2), **Sch. 5** (with Sch. 3 Pt. II paras. 1, 16, 17)

[F19]28 . . . . . .

Textual Amendments

F19 Sch. 7 paras. 25-78 repealed (1.4.1996) by 1995 c. 40, ss. 6, 7(2), **Sch. 5** (with Sch. 3 Pt. II paras. 1, 16, 17)

[F20]29 . . . . . .

Textual Amendments

F20 Sch. 7 paras. 25-78 repealed (1.4.1996) by 1995 c. 40, ss. 6, 7(2), **Sch. 5** (with Sch. 3 Pt. II paras. 1, 16, 17)

[F21]30 . . . . . .

Textual Amendments

F21 Sch. 7 paras. 25-78 repealed (1.4.1996) by 1995 c. 40, ss. 6, 7(2), **Sch. 5** (with Sch. 3 Pt. II paras. 1, 16, 17)

[F22]31 . . . . . .

Textual Amendments

F22 Sch. 7 paras. 25-78 repealed (1.4.1996) by 1995 c. 40, ss. 6, 7(2), **Sch. 5** (with Sch. 3 Pt. II paras. 1, 16, 17)

[F23]32 . . . . . .

Textual Amendments

F23 Sch . 7 paras. 25-78 repealed (1.4.1996) by 1995 c. 40, **s. 4**,6 Sch 5 (with Sch. 3 Pt. II paras. 1, 16, 17)

[F24]33 . . . . . .

Textual Amendments

F24 Sch. 7 paras. 25-78 repealed (1.4.1996) by 1995 c. 40, ss. 6, 7(2), **Sch. 5** (with Sch. 3 Pt. II paras. 1, 16, 17)

[F25]34 . . . . . .

Textual Amendments

F25 Sch. 7 paras. 25-78 repealed (1.4.1996) by 1995 c. 40, ss. 6, 7(2), **Sch. 5** (with Sch. 3 Pt. II paras. 1, 16, 17)

[F26]35 . . . . . .

Textual Amendments

F26 Sch. 7 paras. 25-78 repealed (1.4.1996) by 1995 c. 40, ss. 6, 7(2), **Sch. 5** (with Sch. 3 Pt. II paras. 1, 16, 17)

[F27]36 . . . . . .

Textual Amendments

F27 Sch. 7 paras. 25-78 repealed (1.4.1996) by 1995 c. 40, ss. 6, 7(2), **Sch. 5** (with Sch. 3 Pt. II paras. 1, 16, 17)

[F28]37 . . . . . .

Textual Amendments

F28 Sch. 7 paras. 25-78 repealed (1.4.1996) by 1995 c. 40, ss. 6, 7(2), **Sch. 5** (with Sch. 3 Pt. II paras. 1, 16, 17)

[F29]38 . . . . . .

Textual Amendments

F29 Sch. 7 paras. 25-78 repealed (1.4.1996) by 1995 c. 40, ss. 6, 7(2), **Sch. 5** (with Sch. 3 Pt. II paras. 1, 16, 17)

[F30]39 . . . . . .

Textual Amendments

F30 Sch. 7 paras. 25-78 repealed (1.4.1996) by 1995 c. 40, ss. 6, 7(2), **Sch. 5** (with Sch. 3 Pt. II paras. 1, 16, 17)

[F31]40 . . . . . .

Textual Amendments

F31 Sch. 7 paras. 25-78 repealed (1.4.1996) by 1995 c. 40, ss. 6, 7(2), **Sch. 5** (with Sch. 3 Pt. II paras. 1, 16, 17)

[F32]41 . . . . . .

Textual Amendments

F32 Sch. 7 paras. 25-78 repealed (1.4.1996) by 1995 c. 40, ss. 6, 7(2), **Sch. 5** (with Sch. 3 Pt. II paras. 1, 16, 17)

[F33]42 . . . . . .

Textual Amendments

F33 Sch. 7 paras. 25-78 repealed (1.4.1996) by 1995 c. 40, ss. 6, 7(2), **Sch. 5** (with Sch. 3 Pt. II paras. 1, 16, 17)

[F34]43 . . . . . .

Textual Amendments

F34 Sch. 7 paras. 25-78 repealed (1.4.1996) by 1995 c. 40, ss. 6, 7(2), **Sch. 5** (with Sch. 3 Pt. II paras. 1, 16, 17)

[F35]44 . . . . . .

Textual Amendments

F35 Sch. 7 paras. 25-78 repealed (1.4.1996) by 1995 c. 40, ss. 6, 7(2), **Sch. 5** (with Sch. 3 Pt. II paras. 1, 16, 17)

[F36]45 . . . . . .

Textual Amendments

F36 Sch. 7 paras. 25-78 repealed (1.4.1996) by 1995 c. 40, ss. 6, 7(2), **Sch. 5** (with Sch. 3 Pt. II paras. 1, 16, 17)

[F37]46 . . . . . .

Textual Amendments

F37 Sch. 7 paras. 25-78 repealed (1.4.1996) by 1995 c. 40, ss. 6, 7(2), **Sch. 5** (with Sch. 3 Pt. II paras. 1, 16, 17)

47 . . . . . [F38]

Textual Amendments

F38 Sch. 7 paras. 25-78 repealed (1.4.1996) by 1995 c. 40, ss. 6, 7(2), **Sch. 5** (with Sch. 3 Pt. II paras. 1, 16, 17)

[F39]48 . . . . . .

Textual Amendments

F39 Sch . 7 paras. 25-78 repealed (1.4.1996) by 1995 c. 40, **s. 4**,6 Sch 5 (with Sch.3 Pt.11, paras. 1, 16, 17)

[F40]49 . . . . . .

Textual Amendments

F40 Sch. 7 paras. 25-78 repealed (1.4.1996) by 1995 c. 40, ss. 6, 7(2), **Sch. 5** (with Sch. 3 Pt. II paras. 1, 16, 17)

50 . . . . . [F41]

Textual Amendments

F41 Sch. 7 paras. 7, 12, 50 repealed by Criminal Justice Act 1982 (c. 48), **Sch. 16**

[F42]51 . . . . . .

Textual Amendments

F42 Sch. 7 paras. 25-78 repealed (1.4.1996) by 1995 c. 40, ss. 6, 7(2), **Sch. 5** (with Sch. 3 Pt. II paras. 1, 16, 17)

[F43]52 . . . . . .

Textual Amendments

F43 Sch. 7 paras. 25-78 repealed (1.4.1996) by 1995 c. 40, ss. 6, 7(2), **Sch. 5** (with Sch. 3 Pt. II paras. 1, 16, 17)

[F44]53 . . . . . .

Textual Amendments

F44 Sch. 7 paras. 25-78 repealed (1.4.1996) by 1995 c. 40, ss. 6, 7(2), **Sch. 5** (with Sch. 3 Pt. II paras. 1, 16, 17)

[F45]54 . . . . . .

Textual Amendments

F45 Sch. 7 paras. 25-78 repealed (1.4.1996) by 1995 c. 40, ss. 6, 7(2), **Sch. 5** (with Sch. 3 Pt. II paras. 1, 16, 17)

[F46]55 . . . . . .

Textual Amendments

F46 Sch. 7 paras. 25-78 repealed (1.4.1996) by 1995 c. 40, ss. 6, 7(2), **Sch. 5** (with Sch. 3 Pt. II paras. 1, 16, 17)

[F47]56 . . . . . .

Textual Amendments

F47 Sch. 7 paras. 25-78 repealed (1.4.1996) by 1995 c. 40, ss. 6, 7(2), **Sch. 5** (with Sch. 3 Pt. II paras. 1, 16, 17)

[F48]57 . . . . . .

Textual Amendments

F48 Sch. 7 paras. 25-78 repealed (1.4.1996) by 1995 c. 40, ss. 6, 7(2), **Sch. 5** (with Sch. 3 Pt. II paras. 1, 16, 17)

[F49]58 . . . . . .

Textual Amendments

F49 Sch. 7 paras. 25-78 repealed (1.4.1996) by 1995 c. 40, ss. 6, 7(2), **Sch. 5** (with Sch. 3 Pt. II paras. 1, 16, 17)

[F50]59 . . . . . .

Textual Amendments

F50 Sch. 7 paras. 25-78 repealed (1.4.1996) by 1995 c. 40, ss. 6, 7(2), **Sch. 5** (with Sch. 3 Pt. II paras. 1, 16, 17)

[F51]60 . . . . . .

Changes to legislation: *There are currently no known outstanding effects for the Criminal Justice (Scotland) Act 1980. (See end of Document for details)*

Textual Amendments

F51 Sch. 7 paras. 25-78 repealed (1.4.1996) by 1995 c. 40, ss. 6, 7(2), **Sch. 5** (with Sch. 3 Pt. II paras. 1, 16, 17)

[F52]61 . . . . . .

Textual Amendments

F52 Sch. 7 paras. 25-78 repealed (1.4.1996) by 1995 c. 40, ss. 6, 7(2), **Sch. 5** (with Sch. 3 Pt. II paras. 1, 16, 17)

[F53]62 . . . . . .

Textual Amendments

F53 Sch. 7 paras. 25-78 repealed (1.4.1996) by 1995 c. 40, ss. 6, 7(2), **Sch. 5** (with Sch. 3 Pt. II paras. 1, 16, 17)

[F54]63 . . . . . .

Textual Amendments

F54 Sch. 7 paras. 25-78 repealed (1.4.1996) by 1995 c. 40, ss. 6, 7(2), **Sch. 5** (with Sch. 3 Pt. II paras. 1, 16, 17)

[F55]64 . . . . . .

Textual Amendments

F55 Sch. 7 paras. 25-78 repealed (1.4.1996) by 1995 c. 40, ss. 6, 7(2), **Sch. 5** (with Sch. 3 Pt. II paras. 1, 16, 17)

[F56]65 . . . . . .

Textual Amendments

F56 Sch. 7 paras. 25-78 repealed (1.4.1996) by 1995 c. 40, ss. 6, 7(2), **Sch. 5** (with Sch. 3 Pt. II paras. 1, 16, 17)

[F57]66 . . . . . .

Textual Amendments

F57 Sch. 7 paras. 25-78 repealed (1.4.1996) by 1995 c. 40, ss. 6, 7(2), **Sch. 5** (with Sch. 3 Pt. II paras. 1, 16, 17)

[F58]67 . . . . . .

Textual Amendments

F58 Sch. 7 paras. 25-78 repealed (1.4.1996) by 1995 c. 40, ss. 6, 7(2), **Sch. 5** (with Sch. 3 Pt. II paras. 1, 16, 17)

[F59]68 . . . . . .

Textual Amendments

F59 Sch. 7 paras. 25-78 repealed (1.4.1996) by 1995 c. 40, ss. 6, 7(2), **Sch. 5** (with Sch. 3 Pt. II paras. 1, 16, 17)

[F60]69 . . . . . .

Textual Amendments

F60 Sch. 7 paras. 25-78 repealed (1.4.1996) by 1995 c. 40, ss. 6, 7(2), **Sch. 5** (with Sch. 3 Pt. II paras. 1, 16, 17)

[F61]70 . . . . . .

Textual Amendments

F61 Sch. 7 paras. 25-78 repealed (1.4.1996) by 1995 c. 40, ss. 6, 7(2), **Sch. 5** (with Sch. 3 Pt. II paras. 1, 16, 17)

[F62]71 . . . . . .

Textual Amendments

F62 Sch. 7 paras. 25-78 repealed (1.4.1996) by 1995 c. 40, ss. 6, 7(2), **Sch. 5** (with Sch. 3 Pt. II paras. 1, 16, 17)

[F63]72 . . . . . .

Textual Amendments

F63 Sch. 7 paras. 25-78 repealed (1.4.1996) by 1995 c. 40, ss. 6, 7(2), **Sch. 5** (with Sch. 3 Pt. II paras. 1, 16, 17)

[F64]73 . . . . . .

Textual Amendments

F64 Sch. 7 paras. 25-78 repealed (1.4.1996) by 1995 c. 40, ss. 6, 7(2), **Sch. 5** (with Sch. 3 Pt. II paras. 1, 16, 17)

[F65]74 . . . . . .

Textual Amendments

F65 Sch. 7 paras. 25-78 repealed (1.4.1996) by 1995 c. 40, ss. 6, 7(2), **Sch. 5** (with Sch. 3 Pt. II paras. 1, 16, 17)

[F66]75 . . . . . .

Textual Amendments

F66 Sch. 7 paras. 25-78 repealed (1.4.1996) by 1995 c. 40, ss. 6, 7(2), **Sch. 5** (with Sch. 3 Pt. II paras. 1, 16, 17)

[F67]76 . . . . . .

Textual Amendments

F67 Sch. 7 paras. 25-78 repealed (1.4.1996) by 1995 c. 40, ss. 6, 7(2), **Sch. 5** (with Sch. 3 Pt. II paras. 1, 16, 17)

F68 77 . . . . . .

Textual Amendments

F68 Sch. 7 paras. 25-78 repealed (1.4.1996) by 1995 c. 40, ss. 6, 7(2), **Sch. 5** (with Sch. 3 Pt. II paras. 1, 16, 17)

F69 78 . . . . . .

Textual Amendments

F69 Sch. 7 paras. 25-78 repealed (1.4.1996) by 1995 c. 40, ss. 6, 7(2), **Sch. 5** (with Sch. 3 Pt. II paras. 1, 16, 17)

The Criminal Law Act 1977 (c. 45)

79 In section 39(3) (service of summonses and citations throughout the United Kingdom)—

(a) after the word "include" there shall be inserted " (a) " ; and

(b) at the end there shall be added the following paragraph—

"(b) persons authorised by a chief officer of police in England or Wales to serve summonses there.".

Modifications etc. (not altering text)

C9 The text of Schs. 2–4, Sch. 7 paras 8–11, 13, 16, 21, 24–49, 51–79 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

SCHEDULE 8

Section 83(3).

REPEALS

Modifications etc. (not altering text)

C10 The text of Sch. 7 para. 22, Sch. 8 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Chapter	Short title	Extent of repeal
7 Anne c. 21.	The Treason Act 1708.	Section 7.
39 & 40 Geo. 3. c. 93.	The Treason Act 1800.	The whole Act.

8 & 9 Vict. c. 33.	The Railways Clauses Consolidation (Scotland) Act 1845.	Section 144.
38 & 39 Vict. c. 86.	The Conspiracy, and Protection of Property Act 1875.	Section 11.
50 & 51 Vict. c. 35.	The Criminal Procedure (Scotland) Act 1887.	Schedules F and G.
55 & 56 Vict. c. 55.	The Burgh Police (Scotland) Act 1892.	Section 382.
[[F70]2 & 3 Geo. 5. c. 14.**]**	**[**[F70]The Protection of Animals (Scotland) Act 1912**]**.	**[**[F70]Section 4.**]**
23 & 24 Geo. 5. c. 12.	The Children and Young Persons Act 1933.	Section 26(5).
8 & 9 Geo. 6. c. 44.	The Treason Act 1945.	The whole Act.
12, 13 & 14 Geo. 6. c. 94.	The Criminal Justice (Scotland) Act 1949.	Section 21.
		Section 75(3)(*e*).
15 & 16 Geo. 6. & 1 Eliz. 2. c. 61.	The Prisons (Scotland) Act 1952.	Section 7(4).
		Section 19.
		In section 31(4), in paragraph (i) of the proviso, the words “, section nineteen, subsections (2) to (6) of section twenty” ; and paragraph (iv) of the proviso.
		Sections 32 and 33.
		Section 35(5)(*a*).
		In section 37(2), the words “Borstal institution” in both places where they occur.
8 & 9 Eliz. 2. c. 16.	The Road Traffic Act 1960.	Section 246.
9 & 10 Eliz. 2. c. 39. . . [F71]	The Criminal Justice Act 1961. . . [F71]	. . . [F71]
		In section 32(2), paragraph (*b*), and in paragraph (*f* “11”.
		In section 38, in subsection (3)(*a*) the words “corrective training, preventive detention,” ;

		and in subsection (5)(*a*) the words “in a young offenders institution”.
		In section 39(1), in paragraph (*b*) of the definition of “appropriate institution”, the words “England and Wales or”.
1962 c. 52.	The Penalties for Drunkeness Act 1962.	In section 1(2)(*a*) the words “the fist paragraph of subsection (1) of section seventy of the Licensing (Scotland) Act 1903,” and in section 1(2)(*b*) the words “or the said section seventy”.
1963 c. 39.	The Criminal Justice (Scotland) Act 1963.	Section 2.
		Sections 4 and 5.
		Section 9(1) and (2).
		Section 11.
		In section 50(1), the words “(other than orders made under section 11, section 12(1) or (3) or section 22)”.
1967 c. 76.	The Road Traffic Regulations Act 1967.	Section 93.
1967 c. 80.	The Criminal Justice Act 1967.	In section 60—
		in subsection (6) the words from “—(*a*)” to “case,” in paragraph (*b*); and
		in subsection (8), in paragraph (*c*) the letter “(*a*)”.
		In section 70(1) the words “corrective training or preventive detention”.
1968 c. 27.	The Firearms Act 1968.	In Schedule 6 Part II, paragraph I.
1971 c. 77.	The Immigration Act 1971.	In section 6(5) the words “(*a*) except in Scotland” ; and the words from “; and (*b*)” to the end.
1972 c. 20.	The Road Traffic Act 1972.	In Schedule 4 Part IV, paragraph 3.

1974 c. 53.	The Rehabilitation of Offenders Act 1974.	In section 5(2), in Table B the words "or under section 7 of the Criminal Justice (Scotland) Act 1963".
1975 c. 14.	The Social Security Act 1975.	Section 147(6).
1975 c. 21.	The Criminal Procedure (Scotland) Act 1975.	In section 68(3) the words "where the accused pleads not guilty at the first diet".
		Section 74(3).
		Sections 105 to 107.
		Sections 120 to 122.
		In section 141, the words "and the spouse of the accused" ; in proviso (b) the words "or the spouse of the accused" ; provisos (c) and (d) ; and in proviso (g) the words "or section 143 of this Act".
		In section 191(1) the words "under this Part of this Act".
		In section 193(2) the words from "as" to the end.
		Section 195.
		Sections 197 to 202.
		Section 204.
		Sections 208 to 211.
		In section 218 the words "in a young offenders institution as defined in section 31(1)(d) of the Prisons (Scotland) Act 1952".
		In section 228, the proviso.
		Section 229.
		Section 232.
		In section 234 in each of subsections (1) and (3) the words "or an applicant for leave to appeal" and the words "or application for leave to appeal".

Changes to legislation: *There are currently no known outstanding effects for the Criminal Justice (Scotland) Act 1980. (See end of Document for details)*

In section 236 the words "or application for leave to appeal".

In section 240 the words "and on an application for leave to appeal".

In section 245(3) the words "from the sheriff court".

In section 247 the words "to give leave to appeal" and the words "or of an application for leave to appeal".

Section 253(2).

In section 257 the words "or applicant" and in both places where they occur the words "or application for leave to appeal".

In section 263(1) the words "or an application for leave to appeal".

In section 265(3) the words "either upon grounds of law alone, or with the certificate of the said judge upon any grounds mentioned in section 228(b) of this Act".

In section 272 the words "or of application for leave to appeal" ; in the three places where they occur the words "or application for leave to appeal" ; and the words "or application" in the fourth place where they occur.

In section 274(1) the words "or may be authorised" and the words "or application for leave to appeal".

In section 277 the words "and application for leave to appeal" ; the words "or application" in both places where they occur ; the words "section 229" ; the words "section 232" ; and the words "section 233".

In section 285, in paragraph (*b*), sub-paragraph (iv), and the proviso.

Section 289D(3)(*c*).

In section 296(5) the words "(including any continuation of diet)".

In section 310 the word "subsequent" where it first occurs.

In section 314(3) the words "or a later".

Section 337(*e*).

In section 346, the words "and the spouse of the accused"; in paragraph (b) of the proviso the words "or the spouse of the accused" ; paragraphs (c) and (d) of the proviso ; and in paragraph (g) of the proviso the words "or section 348 of this Act".

Section 365.

In section 392(1) the words "on indictment" and the words "under Part I of this Act".

In section 399(1), the words from "and it" to the end.

Section 405.

Section 410.

Section 411(2).

Section 414.

Sections 416 to 420.

In section 434(3) the words from "and, without" to the end.

Section 444(6).

Section 445.

In section 447(2) the words from "of the form" to "or".

Section 448(9).

		Section 454(2).
		Section 460(5) and (6).
		Schedule 4.
		In Schedule 7B, in paragraph 1, sub-paragrahs (1)(a) and (2)(c).
		In Schedule 9, paragraph 40.
1975 c. 61.	The Child Benefit Act 1975.	Section 11(8).
1976 c. 66.	The Licensing (Scotland) Act 1976.	Section 128(2).
1976 c. 67.	The Sexual Offences (Scotland) Act 1976.	Section 7.
		Section 16.
1976 c. 71.	The Supplementary Benefits Act 1976.	Section 26(5).
1977 c. 45.	The Criminal Law Act 1977.	In Schedule 11, paragraphs 11 to 13.
1979 c. 2.	The Customs and Excise Management Act 1979.	Section 149(2).

Textual Amendments

F70 Entry relating to Protection of Animals (Scotland) Act 1912 in Sch. 8 repealed (S.) (3.11.2006) by The Animal Health and Welfare (Scotland) Act 2006 (Consequential Provisions) Order 2006 (S.S.I. 2006/536), art. 1, **Sch. 3**

F71 Sch. 8: Entry relating to s. 26(5) of the Criminal Justice Act 1961 repealed by Statute Law (Repeals) Act 1986 (c. 12), s. 1(1), **Sch. 1**, Pt. I

Changes to legislation:
There are currently no known outstanding effects for the Criminal Justice (Scotland) Act 1980.