



# Criminal Procedure (Scotland) Act 1995

## 1995 CHAPTER 46

### PART I

#### CRIMINAL COURTS

#### JURISDICTION AND POWERS

##### *Territorial jurisdiction: general*

#### **[<sup>F1</sup>10A Jurisdiction for transferred cases**

- (1) A sheriff has jurisdiction for any cases which come before the sheriff by virtue of—
- (a) section 34A or 83 of this Act; or
  - (b) section 137A, 137B, 137C or 137D of this Act.

[ The jurisdiction of a JP court includes jurisdiction for any cases which come before it  
<sup>F2</sup>(1A) by virtue of section 137CA, 137CB or 137CC of this Act.]

- (2) A procurator fiscal for a sheriff court district shall have—
- (a) power to prosecute in any cases which come before a sheriff of that district by virtue of a provision mentioned in subsection (1) above; <sup>F3</sup> ...
  - <sup>F4</sup>(aa) [ power to prosecute in any cases which come before a JP court of that district by virtue of a provision mentioned in subsection (1A) above;]
  - (b) the like powers in relation to such cases as he has for the purposes of [<sup>F5</sup>the other cases which come before that sheriff when exercising criminal jurisdiction or (as the case may be) before that JP court].

[<sup>F6</sup>(3) This section is without prejudice to sections 4 to 10 of this Act.]]

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**Status:** Point in time view as at 01/09/2015.

**Changes to legislation:** Criminal Procedure (Scotland) Act 1995, Section 10A is up to date with all changes known to be in force on or before 03 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

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#### Textual Amendments

- F1** S. 10A inserted (10.3.2008) by Criminal Proceedings etc. (Reform) (Scotland) Act 2007 (asp 6) , ss. 80 , 84 , **Sch. para. 11** ; S.S.I. 2008/42 , **art. 3** , Sch.
- F2** S. 10A(1A) inserted (28.3.2011) by Criminal Justice and Licensing (Scotland) Act 2010 (asp 13) , s. 206(1) , **sch. 7 para. 27(a)** ; S.S.I. 2011/178 , art. 2 , sch.
- F3** Word in s. 10A(2) repealed (28.3.2011) by Criminal Justice and Licensing (Scotland) Act 2010 (asp 13) , s. 206(1) , **sch. 7 para. 27(b)(i)** ; S.S.I. 2011/178 , art. 2 , sch.
- F4** S. 10A(2)(aa) inserted (28.3.2011) by Criminal Justice and Licensing (Scotland) Act 2010 (asp 13) , s. 206(1) , **sch. 7 para. 27(b)(ii)** ; S.S.I. 2011/178 , art. 2 , sch.
- F5** Words in s. 10A(2)(b) substituted (28.3.2011) by Criminal Justice and Licensing (Scotland) Act 2010 (asp 13) , s. 206(1) , **sch. 7 para. 27(b)(iii)** ; S.S.I. 2011/178 , art. 2 , sch.
- F6** S. 10A(3) substituted (28.3.2011) by Criminal Justice and Licensing (Scotland) Act 2010 (asp 13) , s. 206(1) , **sch. 7 para. 27(c)** ; S.S.I. 2011/178 , art. 2 , sch.

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