Status: *Point in time view as at 10/12/2007. This version of this provision has been superseded.*
Changes to legislation: *Criminal Procedure (Scotland) Act 1995, Section 137ZA is up to date with all changes known*
to be in force on or before 06 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)

Criminal Procedure (Scotland) Act 1995

1995 CHAPTER 46

PART IX

SUMMARY PROCEEDINGS

General

[**F1** **137ZA Refixing diets**

(1) This section applies where in a summary prosecution any diet has been fixed for a non-sitting day.

(2) The court may at any time before the non-sitting day—

    (a)   discharge the diet; and

    (b)   fix a new diet for a date earlier or later than that for which the discharged diet was fixed.

(3) That is, by acting—

    (a)   of the court's own accord; and

    (b)   without the need for a hearing for the purpose.

(4) In the case of a trial diet—

    (a)   the prosecutor;

    (b)   the accused,

shall be entitled to an adjournment of the new diet fixed if the court is satisfied that it is not practicable for that party to proceed with the case on that date.

(5) The power of the court under subsection (1) above is not exercisable for the sole purpose of ensuring compliance with a time limit applying in the proceedings.

(6) In subsections (1) and (2) above, a "non-sitting day" is a day on which the court is under this Act not required to sit.]

Textual Amendments

F1   S. 137ZA inserted (10.12.2007) by Criminal Proceedings etc. (Reform) (Scotland) Act 2007 (asp 6),
ss. 39(2), 84; S.S.I. 2007/479, **art. 3(1)**, Sch. (as amended by S.S. I. 2007/527)

Status:
Point in time view as at 10/12/2007. This version of this provision has been superseded.

Changes to legislation:
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