



Criminal Procedure (Scotland) Act 1995

1995 CHAPTER 46

PART IX

SUMMARY PROCEEDINGS

First diet

[^{F1}145A Adjourment at first calling to allow accused to appear etc.

- (1) Without prejudice to section [^{F2}150] of this Act, where the accused is not present at the first calling of the case in a summary prosecution, the court may (whether or not the prosecutor is able to provide evidence that the accused has been duly cited) adjourn the case under this section for such period as it considers appropriate; and subject to subsections (2) and (3) below, the court may from time to time so adjourn the case.
- (2) An adjourment under this section shall be—
 - (a) for the purposes of allowing—
 - (i) the accused to appear in answer to the complaint; or
 - (ii) time for inquiry into the case; or
 - (b) for any other cause the court considers reasonable.
- (3) No one period of adjourment under this section shall exceed 28 days.

[The clerk of court may perform the functions of the court under subsection (1) above ^{F3}(4) without the court being properly constituted.]]

Textual Amendments

- F1** S. 145A inserted (27.6.2003) by [Criminal Justice \(Scotland\) Act 2003 \(asp 7\), ss. 63\(4\), 89; S.S.I. 2003/288, art. 2, Sch.](#)
- F2** Words in s. 145A(1) substituted (10.12.2007) by [Criminal Proceedings etc. \(Reform\) \(Scotland\) Act 2007 \(asp 6\), ss. 14\(2\), 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Status: Point in time view as at 16/08/2013. This version of this provision has been superseded.

Changes to legislation: *Criminal Procedure (Scotland) Act 1995, Section 145A is up to date with all changes known to be in force on or before 08 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)*

F3 S. 145A(4) added (10.12.2007) by Criminal Proceedings etc. (Reform) (Scotland) Act 2007 (asp 6), **ss. 9(2), 84**; S.S.I. 2007/479, **art. 3(1)**, Sch. (as amended by S.S. I. 2007/527)

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