



# Criminal Procedure (Scotland) Act 1995

## 1995 CHAPTER 46

### PART XI

#### SENTENCING

#### *[<sup>F1</sup>The mutual recognition of criminal financial penalties]*

#### **[<sup>F1</sup>223I Requests from other member States: action undertaken under certificate**

- (1) Where the competent authority for Scotland to whom a matter has been referred under section 223H(2) of this Act is satisfied that none of the grounds for refusal to enforce the financial penalty, as mentioned in Schedule 12, apply then the competent authority for Scotland shall forthwith, and without any further formality being required, seek the enforcement in Scotland of the financial penalty.
- (2) Where the competent authority for Scotland to whom a matter has been referred under section 223H(2) of this Act is satisfied that one or more of the grounds for refusal to enforce the financial penalty as mentioned in Schedule 12 applies—
  - (a) the designated officer of the competent authority for Scotland shall return the documents mentioned in section 223H(1) to the central authority for Scotland; and
  - (b) subsection (3) shall apply.
- (3) Where the documents have been given to the central authority for Scotland by virtue of subsection (2) the central authority for Scotland shall act in the same manner as if section 223G applies.]

#### **Textual Amendments**

- F1** Ss. 223A-223T and cross-heading inserted (12.10.2009) by The Mutual Recognition of Criminal Financial Penalties in the [European Union \(Scotland\) Order 2009 \(S.S.I. 2009/342\)](#), [art. 3](#) (with [art. 2](#))

**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Point in time view as at 16/08/2013. This version of this provision has been superseded.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 223I is up to date with all changes known to be in force on or before 09 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.