



# Criminal Procedure (Scotland) Act 1995

## 1995 CHAPTER 46

### PART XI

#### SENTENCING

#### *[<sup>F1</sup> Non-harassment orders]*

#### **[<sup>F1</sup>234G Breach of drug treatment testing order.**

- (1) If at any time when a drug treatment and testing order is in force it appears to the appropriate court that the offender has failed to comply with any requirement of the order, the court may issue a citation requiring the offender to appear before the court at such time as may be specified in the citation or, if it appears to the court to be appropriate, it may issue a warrant for the arrest of the offender.
- (2) If it is proved to the satisfaction of the appropriate court that the offender has failed without reasonable excuse to comply with any requirement of the order, the court may by order—
  - (a) without prejudice to the continuation in force of the order, impose a fine not exceeding level 3 on the standard scale;
  - (b) vary the order; or
  - (c) revoke the order.
- (3) For the purposes of subsection (2) above, the evidence of one witness shall be sufficient evidence.
- (4) A fine imposed under this section in respect of a failure to comply with the requirements of a drug treatment and testing order shall be deemed for the purposes of any enactment to be a sum adjudged to be paid by or in respect of a conviction or a penalty imposed on a person summarily convicted.]

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*Status: Point in time view as at 30/09/1998. This version of this provision has been superseded.*

**Changes to legislation:** *Criminal Procedure (Scotland) Act 1995, Section 234G is up to date with all changes known to be in force on or before 24 March 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. 234G inserted (30.9.1998) by 1998 c. 37, s. 93; S.I. 1998/2327, art. 2(1)(s) (subject to arts. 5-8)

**Status:**

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