



Criminal Procedure (Scotland) Act 1995

1995 CHAPTER 46

PART XII

EVIDENCE

Proof of previous convictions

[^{F1}286A Proof of previous conviction by court in other member State

- (1) A previous conviction by a court in another member State of the European Union may be proved against any person in any criminal proceedings by the production of evidence of the conviction and by showing that his fingerprints and those of the person convicted are the fingerprints of the same person.
- (2) A certificate—
 - (a) bearing—
 - (i) to have been sealed with the official seal of a Minister of the State in question; and
 - (ii) to contain particulars relating to a conviction extracted from the criminal records of that State; and
 - (b) including copies of fingerprints and certifying that those copies—
 - (i) are of fingerprints appearing from those records to have been taken from the person convicted on the occasion of the conviction, or on the occasion of his last conviction; and
 - (ii) would be admissible in evidence in criminal proceedings in that State as a record of the skin of that person's fingers,shall be sufficient evidence of the conviction or, as the case may be, of the person's last conviction and of all preceding convictions and that the copies of the fingerprints included in the certificate are copies of the fingerprints of the person convicted.
- (3) A conviction bearing to have been—
 - (a) extracted from the criminal records of the State in question; and

Status: Point in time view as at 16/08/2013. This version of this provision has been superseded.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 286A 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)

(b) issued by an officer of that State whose duties include the issuing of such extracts,

shall be received in evidence without being sworn to by witnesses.

(4) Subsection (9) of section 285 of this Act applies in relation to this section as it does in relation to that section.]

Textual Amendments

F1 S. 286A inserted (27.6.2003) by [Criminal Justice \(Scotland\) Act 2003 \(asp 7\)](#), **ss. 57(4)**, 89; S.S.I. 2003/288, **art. 2**, Sch.

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