



Sale of Food and Drugs Act 1875

1875 CHAPTER 63 38 and 39 Vict

Special Provision as to Tea

33 Application of the Act to Scotland

In the application of this Act to Scotland the following provisions shall have effect:

1. The term "misdemeanor" shall mean "a crime or offence."
2. The term "defendant" shall mean "defender" and include "respondent."
3. The term "information" shall include "complaint."
4. This Act shall be read and construed as if for the term "justices," wherever it occurs therein, the term "sheriff" were substituted:
5. The term "sheriff" shall include "sheriff substitute":
6. The term borough " shall mean any royal burgh and any burgh returning or contributing to return a member to Parliament:
7. The expenses of executing this Act shall be borne in Scotland, in counties, by the county general assessment, and in burghs, by the police assessment:
8. This Act shall be read and construed as if for the expression "the Local Government Board," wherever it occurs therein, the expression "one of Her Majesty's Principal Secretaries of State" were substituted:
9. All penalties provided by this Act to be recovered in a summary manner shall be recovered before the sheriff of the county in the sheriff court, or at the option of the person seeking to recover the same in the police court, in any place where a sheriff officiates as a police magistrate under the provisions of "The Summary Procedure Act, 1864," or of the Police Act in force for the time in any place in which a sheriff officiates as aforesaid, and all the jurisdiction, powers, and authorities necessary for this purpose are hereby conferred on sheriffs:

Every such penalty may be recovered at the instance of the procurator fiscal of the jurisdiction, or of the person who caused the analysis to be made from which it appeared that an offence had been committed against some one of the provisions of this Act:

Every penalty imposed and recovered under this Act shall be paid to the clerk of court, and by him shall be accounted for and paid to the treasurer of the county

Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.

general assessment, or the police assessment of the burgh, as the sheriff shall direct:

10. Every penalty imposed by this Act may be reduced or mitigated according to the judgment of the sheriff:
11. It shall be competent to any person aggrieved by any conviction by a sheriff in any summary proceeding under this Act to appeal against the same to the next circuit court, or where there are no circuit courts to the High Court of Justiciary at Edinburgh, in the manner prescribed by such of the provisions of the Act of the twentieth year of the reign of King George the Second, chapter forty-three, and any Acts amending the same, as relate to appeals in matters criminal, and by and under the rules, limitations, conditions, and restrictions contained in the said provisions.