
STATUTORY INSTRUMENTS

1991 No. 810 (S.75)

CRIMINAL LAW, SCOTLAND

The Appellants (Increase in Expenses) (Scotland) Order 1991

<i>Made</i>	- - - -	<i>18th March 1991</i>
<i>Laid before Parliament</i>		<i>2nd April 1991</i>
<i>Coming into force</i>	- -	<i>23rd April 1991</i>

Whereas it appears to the Secretary of State that there has been a change in the value of money since 4th April 1984, being the date of the Increase of Criminal Penalties etc. (Scotland) Order 1984(1)(“the 1984 Order”), the previous Order made under section 289D(1) of the Criminal Procedure (Scotland) Act 1975(2); and

Whereas the sum substituted by this Order for the sum specified in the relevant provision mentioned in section 289D(1A) of that Act (which lastmentioned sum was substituted by article 7 of the 1984 Order) appears to him to be justified by that change;

Now, therefore, the Secretary of State, in exercise of the powers conferred on him by section 289D(1) and (4) of that Act and of all other powers enabling him in that behalf, hereby makes the following Order:

1. This Order may be cited as the Appellants (Increase in Expenses) (Scotland) Order 1991 and shall come into force on 23rd April 1991.
2. In section 453(3) of the Criminal Procedure (Scotland) Act 1975(3)(consent by prosecutor to set aside the conviction) for the sum of “£40” there is substituted the sum of “£60”.
3. Article 7 of the Increase of Criminal Penalties etc. (Scotland) Order 1984 is revoked.

St. Andrew’s House,
Edinburgh
18th March 1991

James Douglas-Hamilton
Parliamentary Under-Secretary of State, Scottish
Office

(1) [S.I. 1984/526](#).
(2) [1975 c. 21](#); section 289D was inserted by paragraph 5 of Schedule 11 to the Criminal Law Act [1977 \(c. 45\)](#), substituted by section 53 of the Criminal Justice Act [1982 \(c. 48\)](#) (“the 1982 Act”) and amended by the Criminal Justice (Scotland) Act [1987 \(c. 47\)](#), Schedule 2; section 289D (1B), inserted by section 53 of the 1982 Act, contains a definition of “relevant date”.
(3) Section 453(3) was amended by [S.I. 1984/526](#).

Status: This is the original version (as it was originally made).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

EXPLANATORY NOTE

(This note is not part of the Order)

This Order increases from £40 to £60 the maximum amount of expenses which may be awarded to an appellant in summary procedure, where the prosecutor consents to the conviction being set aside (article 2). This reflects the change in the value of money since the sum was last updated in 1984.