
STATUTORY INSTRUMENTS

1996 No. 2548 (S.197)

CRIMINAL LAW, SCOTLAND

**The Prosecutor's Right of Appeal in
Summary Proceedings (Scotland) Order 1996**

<i>Made</i>	- - - -	<i>6th October 1996</i>
<i>Laid before Parliament</i>		<i>8th October 1996</i>
<i>Coming into force</i>	- -	<i>1st November 1996</i>

The Secretary of State, in exercise of the powers conferred upon him by section 175(4) and (6) of the Criminal Procedure (Scotland) Act 1995(1), and of all other powers enabling him in that behalf hereby makes the following Order:

1.—(1) This Order may be cited as the Prosecutor's Right of Appeal in Summary Proceedings (Scotland) Order 1996 and shall come into force on 1st November 1996.

(2) This Order shall extend to Scotland only.

2. The class of case in summary proceedings which is specified by this Order is any case in which, on or after 1st November 1996,—

- (a) sentence is passed, or
- (b) a probation order, community service order or order deferring sentence is made, or
- (c) the person is admonished or discharged absolutely.

St Andrew's House,
Edinburgh
6th October 1996

James Douglas-Hamilton
Minister of State, Scottish Office

Status: This is the original version (as it was originally made).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)

Section 175(4) of the Criminal Procedure (Scotland) Act 1995 enables the Secretary of State by order to specify a class of case in summary proceedings in which the prosecutor may appeal to the High Court against the sentence or other disposal passed or made on the grounds that the sentence or disposal is unduly lenient or otherwise inappropriate.

This Order specifies the class of case for this purpose as being any case in which, on or after 1st November 1996, the sentence or other disposal is passed or made.