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STATUTORY INSTRUMENTS

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**1996 No. 616 (S.59)**

**CRIMINAL LAW, SCOTLAND**

**The Intermediate Diets (Scotland) Order 1996**

<i>Made</i>	- - - -	<i>5th March 1996</i>
<i>Laid before Parliament</i>		<i>11th March 1996</i>
<i>Coming into force</i>	- -	<i>1st April 1996</i>

The Secretary of State, in exercise of the powers conferred upon him by section 148(7) of the Criminal Procedure (Scotland) Act 1995(1) and of all other powers enabling him in that behalf, hereby makes the following Order:

**Citation, commencement and interpretation**

1. This Order may be cited as the Intermediate Diets (Scotland) Order 1996 and shall come into force on 1st April 1996.
2. In this Order—  
“the 1995 Act” means the Criminal Procedure (Scotland) Act 1995; and  
“commission area” has the same meaning as in section 26(1) of the District Courts (Scotland) Act 1975(2).

**Prescription of Courts and commencement of proceedings**

3. The sheriff court for each sheriff court district specified in Schedule 1 to this Order is hereby prescribed for the purposes of section 148(7) of the 1995 Act (intermediate diet) in relation to proceedings commenced after 31st March 1996.
4. The district court for each commission area specified in Schedule 2 to this Order is hereby prescribed for the purposes of section 148(7) of the 1995 Act in relation to proceedings commenced after 31st March 1996.
5. The sheriff court for the sheriff court district of Linlithgow is hereby prescribed for the purposes of section 148(7) of the 1995 Act in relation to proceedings commenced after 30th September 1996.

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(1) 1995 c. 46.  
(2) 1975 c. 20. The definition was amended by the Local Government etc. (Scotland) Act 1994 (c. 39), Schedule 13, paragraph 96(5).

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**Status:** This is the original version (as it was originally made).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

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6. The district courts for the commission areas of City of Glasgow and South Lanarkshire are hereby prescribed for the purposes of section 148(7) of the 1995 Act in relation to proceedings commenced after 31st March 1997.

St Andrew's House,  
Edinburgh  
5th March 1996

*James Douglas-Hamilton*  
Minister of State, Scottish Office

SCHEDULE 1

Article 3

**Sheriff Court district**

Aberdeen  
Airdrie  
Alloa  
Arbroath  
Ayr  
Banff  
Campbeltown  
Cupar  
Dingwall  
Dumbarton  
Dumfries  
Dundee  
Dunfermline  
Dunoon  
Duns  
Edinburgh  
Elgin  
Falkirk  
Forfar  
Fort William  
Glasgow  
Greenock  
Haddington  
Hamilton  
Inverness  
Jedburgh  
Kilmarnock  
Kirkcaldy  
Kirkcudbright  
Lanark  
Oban  
Paisley  
Peebles  
Perth  
Peterhead  
Rothesay  
Selkirk

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Stirling  
Stonehaven  
Stranraer  
Tain  
Wick

## SCHEDULE 2

Article 4

### **Commission area**

Aberdeen City  
Aberdeenshire  
Angus  
City of Edinburgh  
Clackmannanshire  
Dundee City  
East Ayrshire  
East Dunbartonshire  
East Lothian  
Falkirk  
Fife  
East Renfrewshire  
Inverclyde  
Moray  
Midlothian  
North Ayrshire  
Perth and Kinross  
Renfrewshire  
Stirling  
South Ayrshire  
North Lanarkshire  
West Dunbartonshire  
West Lothian

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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order prescribes certain courts for the purposes of section 148(7) of the Criminal Procedure (Scotland) Act 1995 in relation to proceedings commenced after a date which is also prescribed in the Order.

The effect of any such prescription is that the prescribed court will be required to hold an intermediate diet under that section in any case where proceedings are commenced after the prescribed date unless the court considers, on a joint application by the parties, that it would be inappropriate to hold an intermediate diet in that case.

Articles 3 and 4 prescribes certain sheriff courts and district courts specified in, respectively, Schedule 1 and Schedule 2 to the Order, in relation to proceedings commenced after 31st March 1996. Article 5 prescribes the sheriff court for the sheriff court district of Linlithgow in relation to proceedings commenced after 30th September 1996. Article 6 prescribes the district courts for the commission areas of City of Glasgow and South Lanarkshire in relation to proceedings commenced after 31st March 1997.