

*These notes relate to the Vulnerable Witnesses (Scotland) Act 2004 (asp 3) which received Royal Assent on 14 April 2004*

# **VULNERABLE WITNESSES (SCOTLAND) ACT 2004**

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## **EXPLANATORY NOTES**

### **COMMENTARY ON SECTIONS**

#### **Part 3 – Miscellaneous and General**

#### ***Section 24 – Abolition of the competence test for witnesses in criminal and civil proceedings***

90. This section prohibits the use of the “competence test” in criminal and civil proceedings. The court is no longer entitled to ask preliminary questions of the witness regarding whether the witness understands the difference between truth and lies and the duty to give truthful evidence.