

SCHEDULE 4
MINOR AND CONSEQUENTIAL AMENDMENTS

Criminal Procedure (Scotland) Act 1995 (c. 46)

- 1 (1) Section 167 of the 1995 Act (forms of finding and sentence in summary proceedings) is amended as follows.
- (2) In subsection (7)—
- (a) paragraph (a) and the word “or” immediately following it are repealed,
 - (b) for the words “previous sentence for a term or order” substitute “period mentioned in subsection (7D) below”, and
 - (c) for the words “later conviction or order” substitute “order mentioned in paragraph (b) of this subsection”.
- (3) After subsection (7C), insert—
- “(7D) The periods are—
- (a) any previous custody-only sentence,
 - (b) the custody part of any previous custody and community sentence,
 - (c) any previous sentence for a term passed by a court in any part of the United Kingdom outwith Scotland,
- following on conviction or any previous order for committal in default of payment of any sum of money or for contempt of court.
- (7E) In subsection (7D) above, “custody and community sentence”, “custody-only sentence” and “custody part” have the meanings given by section 4(1) of the Custodial Sentences and Weapons (Scotland) Act 2007 (asp 17).”.