



Criminal Proceedings etc. (Reform) (Scotland) Act 2007

2007 asp 6

PART 2

PROCEEDINGS

Transfer of summary cases

23 Time bar for transferred and related cases

After section 136 of the 1995 Act there is inserted—

“136A Time limits for transferred and related cases

- (1) This section applies where the prosecutor recommences proceedings by complaint containing both—
 - (a) a charge to which proceedings—
 - (i) transferred to a court by authority of an order made in pursuance of section 137A(1) of this Act; or
 - (ii) transferred to, or taken at, a court by authority of an order made in pursuance of section 137B(1), (1A) or (1C) of this Act, relate; and
 - (b) a charge to which previous proceedings at that court relate.
- (2) Where this section applies, proceedings for an offence charged in that complaint are, for the purposes of—
 - (a) section 136 of this Act (so far as applying to the offence);
 - (b) any provision of any other enactment for a time limit within which proceedings are to be commenced (so far as applying to the offence); and
 - (c) any rule of law relating to delay in bringing proceedings (so far as applying to the offence),

Status: This is the original version (as it was originally enacted).

to be regarded as having been commenced when any previous proceedings for the offence were first commenced.”.