



Criminal Justice and Licensing (Scotland) Act 2010

2010 asp 13

PART 6

DISCLOSURE

Provision of information to prosecutor

117 Provision of information to prosecutor: solemn cases

- (1) This section applies where in a prosecution—
 - (a) an accused appears for the first time on petition, or
 - (b) an accused appears for the first time on indictment (not having appeared on petition in relation to the same matter).
- (2) As soon as practicable after the appearance, the investigating agency must provide the prosecutor with details of all the information that may be relevant to the case for or against the accused that the agency is aware of that was obtained (whether by the agency or otherwise) in the course of investigating the matter to which the appearance relates.
- (3) As soon as practicable after being required to do so by the prosecutor, the investigating agency must provide the prosecutor with any of that information that the prosecutor specifies in the requirement.
- (4) In this section, “investigating agency” means—
 - (a) [F1the Police Service of Scotland], or
 - (b) such other person who—
 - (i) engages (to any extent) in the investigation of crime or sudden deaths, and
 - (ii) submits reports relating to those investigations to the procurator fiscal,as the Scottish Ministers may prescribe by regulations.

Changes to legislation: There are currently no known outstanding effects for the Criminal Justice and Licensing (Scotland) Act 2010, Section 117. (See end of Document for details)

Textual Amendments

- F1** Words in s. 117(4)(a) substituted (1.4.2013) by [Police and Fire Reform \(Scotland\) Act 2012 \(asp 8\)](#), s. 129(2), [Sch. 7 para. 42\(2\)](#); S.S.I. 2013/51, art. 2 (with transitional provisions and savings in S.S.I. 2013/121)

Commencement Information

- I1** S. 117 in force at 6.6.2011 by [S.S.I. 2011/178](#), art. 2, [Sch.](#) (with [Sch.](#))

Changes to legislation:

There are currently no known outstanding effects for the Criminal Justice and Licensing (Scotland) Act 2010, Section 117.