



# Criminal Justice and Licensing (Scotland) Act 2010

2010 asp 13

## PART 4

### EVIDENCE

#### **84 Admissibility of prior statements of witnesses: abolition of competence test**

- (1) This section applies in relation to a prior statement made by a witness before the commencement of section 24 of the Vulnerable Witnesses (Scotland) Act 2004 (asp 3) (“the 2004 Act”) (which abolishes the competence test for witnesses in criminal and civil proceedings).
- (2) For the purpose of the application of subsection (2)(c) of section 260 of the 1995 Act (admissibility of prior statement depends on competence of the witness at the time of the statement) in relation to the statement, section 24 of the 2004 Act is taken to have been in force at the time the statement was made.
- (3) In this section, “prior statement” has the meaning it has in section 260 of the 1995 Act.

#### **Commencement Information**

**II** [S. 84](#) in force at 28.3.2011 by [S.S.I. 2011/178](#), [art. 2](#), [Sch.](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Criminal Justice and Licensing (Scotland) Act 2010, Section 84.