

CRIMINAL JUSTICE (SCOTLAND) ACT 2016

EXPLANATORY NOTES

OVERVIEW OF THE ACT

Part 5 – Appeals and Scrc

Appeals

Section 89 – Extending certain time limits: summary

- 235. **Section 89** amends section 181 of the 1995 Act so as to make further provision concerning applications to extend certain time limits that apply in relation to appeals from summary proceedings.
- 236. Subsection (2) inserts provisions prescribing the test to be applied by the High Court when determining an application to extend the period within which a convicted person may apply for a stated case. Subsections (3) and (4) omit the provisions under which the respondent in relation to an application under section 181(1) of the 1995 Act may insist on a hearing. Subsection (5) inserts section 181(5) which requires the court to give reasons in writing for a decision to extend a period on an application under section 181(1).
- 237. By virtue of section 186(8) of the 1995 Act, the amendments effected by section 89 of the Act also have effect in relation to certain applications to extend the period allowed for the lodging of a note of appeal under section 186.