



Vulnerable Witnesses (Criminal Evidence) (Scotland) Act 2019

2019 asp 8

General

10 Consequential amendments

- (1) The Criminal Procedure (Scotland) Act 1995 is amended as follows.
- (2) In section 271A(5), for “section 271B” substitute “sections 271B to 271BZB”.
- (3) In section 271D(7), for “section 271B” substitute “sections 271B to 271BZC”.
- (4) In section 271F(2), after paragraph (a) insert—
 - “(aa) section 271AA applies in relation to the accused with the following modifications—
 - (i) in subsection (1)(a), the reference to a child witness or a deemed vulnerable witness is to be read as if it were a reference to the accused,
 - (ii) in subsections (1) to (5), references to the party citing or intending to cite the witness are to be read as if they were references to the accused,
 - (iii) in subsections (1)(b), (2)(a) and (4), references to the witness are to be read as if they were references to the accused,
 - (iv) subsection (2) has effect as if for paragraphs (b) and (c) there were substituted—
 - “(b) that the notice is lodged by the accused and that the accused is a child witness,
 - (c) the accused’s age, and”, and”.

11 Ancillary provision

- (1) The Scottish Ministers may by regulations make any incidental, supplementary, consequential, transitional, transitory or saving provision they consider appropriate for the purposes of, in connection with or for giving full effect to this Act or any provision made under it.

- (2) Regulations under this section may modify any enactment (including this Act).
- (3) Regulations under this section—
 - (a) are subject to the affirmative procedure if they add to, replace or omit any part of the text of this or any other Act,
 - (b) otherwise, are subject to the negative procedure.

12 Commencement

- (1) This section and sections 11 and 13 come into force on the day after Royal Assent.
- (2) The other provisions of this Act come into force on such day as the Scottish Ministers may by regulations appoint.
- (3) Regulations under this section may—
 - (a) appoint different days for—
 - (i) different courts or descriptions of court,
 - (ii) witnesses of different types,
 - (iii) witnesses of different ages,
 - (iv) other different purposes,
 - (b) include transitional, transitory or saving provision.

13 Short title

The short title of this Act is the Vulnerable Witnesses (Criminal Evidence) (Scotland) Act 2019.