

SCHEDULE TEMPORARY JUSTICE MEASURES

PART 5

CRIMINAL PROCEDURE TIME LIMITS

CHAPTER 1

EXTENSION OF PERIODS

Solemn proceedings: periods within which procedural hearings and trial must commence

- 20 (1) The Criminal Procedure (Scotland) Act 1995 applies in accordance with the modifications in [this paragraph](#).
- (2) Section 65(1) (solemn proceedings: prevention of delay in trials) has effect as if—
- (a) in paragraph (a), for “11 months” there were substituted “17 months”,
 - (b) in paragraph (aa), for “11 months” there were substituted “17 months”,
 - (c) in paragraph (b), for “12 months” there were substituted “18 months”.

Summary proceedings: period within which prosecution for statutory offence must commence

- 21 (1) The Criminal Procedure (Scotland) Act 1995 applies in accordance with the modifications in [this paragraph](#).
- (2) Section 136(1) (summary proceedings: time limits) has effect as if for “six months”, in both places where it occurs, there were substituted “12 months”.

Pre-trial and pre-sentence remand period

- 22 (1) The Criminal Procedure (Scotland) Act 1995 applies in accordance with the modifications in [this paragraph](#).
- (2) Section 65(4) (solemn proceedings: prevention of delay in trials) has effect as if—
- (a) in paragraph (a), for “80 days” there were substituted “260 days”,
 - (b) in paragraph (aa)(i), for “110 days” there were substituted “290 days”,
 - (c) in paragraph (aa)(ii), for “140 days” there were substituted “320 days”,
 - (d) in paragraph (b)(i), for “110 days” there were substituted “290 days”,
 - (e) in paragraph (b)(ii), for “140 days” there were substituted “320 days”.
- (3) Section 147(1) (summary proceedings: prevention of delay in trials) has effect as if for “40 days” there were substituted “130 days”.
- (4) Section 200 (remand for inquiry into physical or mental condition) has effect as if—
- (a) in subsection (2), in the closing words, the words “, no single period exceeding three weeks,” were repealed,
 - (b) in subsection (3)(a), the words “not exceeding three weeks” were repealed.

Status: This is the original version (as it was originally enacted).

CHAPTER 2

ADJOURNMENT PERIODS

Power of court to adjourn cases

- 23 (1) The Criminal Procedure (Scotland) Act 1995 applies in accordance with the modifications in [sub-paragraphs \(2\) to \(5\)](#).
- (2) Section 145 (adjournment for inquiry at first calling) has effect as if—
- (a) in subsection (1), for “subsections (2) and (3)” there were substituted “subsection (2)”,
 - (b) subsection (3) were repealed.
- (3) Section 145A (adjournment at first calling to allow accused to appear etc.) has effect as if—
- (a) in subsection (1), for “subsections (2) and (3)” there were substituted “subsection (2)”,
 - (b) subsection (3) were repealed.