



Coronavirus (Recovery and Reform) (Scotland) Act 2022

2022 asp 8

PART 5

TEMPORARY JUSTICE MEASURES

Supporting provisions

55 Criminal procedure time limits: consequential modifications

- (1) The Criminal Procedure (Scotland) Act 1995 is modified as follows.
- (2) In section 52T(4) (prevention of delay in trials: assessment orders and treatment orders)—
 - (a) in paragraph (a), for “the total periods of 80 days, 110 days and 140 days” substitute “any period”,
 - (b) in paragraph (b), the word “total” is repealed,
 - (c) in paragraph (c)—
 - (i) for “total of 40 days” substitute “period”,
 - (ii) before “section” insert “subsection (1) of”.
- (3) In section 65 (solemn proceedings: prevention of delay in trials)—
 - (a) in subsection (3), for “either or both of the periods of 11 and 12 months”, in both places where it occurs, substitute “any period”,
 - (b) in subsection (10)—
 - (i) for “the periods of 11 and 12 months specified in subsections (1) and (3) above” substitute “any period specified in subsection (1) (including any such period as extended)”,
 - (ii) for “detained” substitute “in lawful custody”,
 - (iii) the words from “in any prison” to the end of the subsection are repealed.
- (4) In section 71B (first diet: appointment of trial date)—
 - (a) in subsection (3)—

Status: This is the original version (as it was originally enacted).

- (i) for “12 month period”, in both places where it occurs, substitute “period specified in section 65(1)(b)”,
 - (ii) for “140 day period” substitute “period specified in section 65(4)(b)(ii)”,
 - (b) in subsection (4), for “12 month period” substitute “period specified in section 65(1)(b)”,
 - (c) in subsection (5)—
 - (i) for “140 day period” substitute “period specified in section 65(4)(b)(ii)”,
 - (ii) for “12 month period”, in both places where it occurs, substitute “period specified in section 65(1)(b)”,
 - (d) in subsection (6)—
 - (i) for “140 day period”, in both places where it occurs, substitute “period specified in section 65(4)(b)(ii)”,
 - (ii) for “12 month period” substitute “period specified in section 65(1)(b)”,
 - (e) in subsection (7)—
 - (i) for “140 day period” substitute “period specified in section 65(4)(b)(ii)”,
 - (ii) for “12 month period”, in both places where it occurs, substitute “period specified in section 65(1)(b)”,
 - (f) for subsection (10) substitute—

“(10) In this section a reference to the period specified in section 65(1)(b) or section 65(4)(b)(ii) is to be construed as including that period as extended.”.
- (5) In section 72A (preliminary hearing: appointment of trial diet)—
- (a) in subsection (3)—
 - (i) for “12 month period”, in both places where it occurs, substitute “period specified in section 65(1)(b)”,
 - (ii) for “140 day period” substitute “period specified in section 65(4)(aa)(ii)”,
 - (b) in subsection (4), for “12 month period” substitute “period specified in section 65(1)(b)”,
 - (c) in subsection (5)—
 - (i) for “140 day period” substitute “period specified in section 65(4)(aa)(ii)”,
 - (ii) for “12 month period”, in both places where it occurs, substitute “period specified in section 65(1)(b)”,
 - (d) in subsection (6)—
 - (i) for “140 day period”, in both places where it occurs, substitute “period specified in section 65(4)(aa)(ii)”,
 - (ii) for “12 month period” substitute “period specified in section 65(1)(b)”,
 - (e) in subsection (7)—
 - (i) for “140 day period” substitute “period specified in section 65(4)(aa)(ii)”,

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

- (ii) for “12 month period”, in both places where it occurs, substitute “period specified in section 65(1)(b)”,
- (f) for subsection (10) substitute—
 - “(10) In this section a reference to the period specified in section 65(1)(b) or section 65(4)(aa)(ii) is to be construed as including that period as extended.”.