



# Criminal Proceedings etc. (Reform) (Scotland) Act 2007

2007 asp 6

## PART 2

### PROCEEDINGS

#### *Transfer of summary cases*

#### **23 Time bar for transferred and related cases**

After section 136 of the 1995 Act there is inserted—

##### **“136A Time limits for transferred and related cases**

- (1) This section applies where the prosecutor recommences proceedings by complaint containing both—
  - (a) a charge to which proceedings—
    - (i) transferred to a court by authority of an order made in pursuance of section 137A(1) of this Act; or
    - (ii) transferred to, or taken at, a court by authority of an order made in pursuance of section 137B(1), (1A) or (1C) of this Act, relate; and
  - (b) a charge to which previous proceedings at that court relate.
- (2) Where this section applies, proceedings for an offence charged in that complaint are, for the purposes of—
  - (a) section 136 of this Act (so far as applying to the offence);
  - (b) any provision of any other enactment for a time limit within which proceedings are to be commenced (so far as applying to the offence); and
  - (c) any rule of law relating to delay in bringing proceedings (so far as applying to the offence),

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*Status: This is the original version (as it was originally enacted).*

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to be regarded as having been commenced when any previous proceedings for the offence were first commenced.”.