



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

2007 asp 6

## PART 3

### PENALTIES

#### *Sentencing powers*

PROSPECTIVE

#### **46 JP court: power to increase penalties**

- (1) The Scottish Ministers may by order amend any specification of a maximum—
  - (a) term of imprisonment,
  - (b) level of fine,
  - (c) amount of caution,in section 7(6) or (7) of the 1995 Act.
- (2) The Scottish Ministers may by order amend any specification, in relation to the JP court, of a maximum—
  - (a) term of imprisonment,
  - (b) level of fine,in any other enactment.
- (3) An order under subsection (1) or (2) may not make provision for—
  - (a) a term of imprisonment exceeding 6 months,
  - (b) a fine exceeding level 5 on the standard scale,
  - (c) an amount of caution exceeding level 5 on the standard scale.

**Status:**

This version of this provision is prospective.

**Changes to legislation:**

There are currently no known outstanding effects for the **Criminal Proceedings etc. (Reform) (Scotland) Act 2007, Section 46**.