



# Criminal Justice and Licensing (Scotland) Act 2010

2010 asp 13

## PART 6

### DISCLOSURE

#### *Court rulings on disclosure*

#### **130 Appeals against rulings under section 128**

- (1) The prosecutor or the accused may, within the period of 7 days beginning with the day on which a ruling is made under section 128, appeal to the High Court against the ruling.
- (2) Where an appeal is brought under subsection (1), the court of first instance or the High Court may—
  - (a) postpone any trial diet that has been appointed for such period as it thinks appropriate,
  - (b) adjourn or further adjourn any hearing for such period as it thinks appropriate,
  - (c) direct that any period of postponement or adjournment under paragraph (a) or (b) or any part of such period is not to count toward any time limit applying in the case.
- (3) In disposing of an appeal under subsection (1), the High Court may—
  - (a) affirm the ruling, or
  - (b) remit the case back to the court of first instance with such directions as the High Court thinks appropriate.
- (4) This section does not affect any other right of appeal which any party may have in relation to a ruling under section 128.

#### **Commencement Information**

**II** S. 130 in force at 6.6.2011 by [S.S.I. 2011/178](#), [art. 2](#), [Sch.](#) (with [Sch.](#) )

**Status:**

Point in time view as at 31/03/2023.

**Changes to legislation:**

There are currently no known outstanding effects for the Criminal Justice and Licensing (Scotland) Act 2010, Section 130.