



# Criminal Justice and Licensing (Scotland) Act 2010

2010 asp 13

## PART 3

### CRIMINAL PROCEDURE

#### *Bail*

#### 57 Bail review applications

- (1) The 1995 Act is amended as follows.
- (2) In section 30 (bail review)—
  - (a) for subsection (2A) substitute—

“(2A) On receipt of an application under subsection (2), the court must—

    - (a) intimate the application to the prosecutor, and
    - (b) before determining the application, give the prosecutor an opportunity to be heard.

(2AA) Despite subsection (2A)(b), the court may grant the application without having heard the prosecutor if the prosecutor consents.”, and
  - (b) in subsection (2C), in paragraph (b), for “heard” substitute “determined”.
- (3) In section 31 (bail review on prosecutor's application)—
  - (a) after subsection (2), insert—

“(2ZA) Despite subsection (2)(b), the court may grant the application without fixing a hearing if the person granted bail consents.”, and
  - (b) in subsection (3), the word “hearing” is repealed.

#### Commencement Information

**II** S. 57 in force at 28.3.2011 by [S.S.I. 2011/178](#), art. 2, [Sch.](#) (with [Sch.](#))

**Changes to legislation:**

There are currently no known outstanding effects for the Criminal Justice and Licensing (Scotland) Act 2010, Section 57.