

Changes to legislation: There are currently no known outstanding effects for the Criminal Justice (Scotland) Act 1980, SCHEDULE 8. (See end of Document for details)

SCHEDULES

SCHEDULE 8

Section 83(3).

REPEALS

Modifications etc. (not altering text)

- C1** The text of Sch. 7 para. 22, Sch. 8 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Chapter	Short title	Extent of repeal
7 Anne c. 21.	The Treason Act 1708.	Section 7.
39 & 40 Geo. 3. c. 93.	The Treason Act 1800.	The whole Act.
8 & 9 Vict. c. 33.	The Railways Clauses Consolidation (Scotland) Act 1845.	Section 144.
38 & 39 Vict. c. 86.	The Conspiracy, and Protection of Property Act 1875.	Section 11.
50 & 51 Vict. c. 35.	The Criminal Procedure (Scotland) Act 1887.	Schedules F and G.
55 & 56 Vict. c. 55.	The Burgh Police (Scotland) Act 1892.	Section 382.
[^{F1} 2 & 3 Geo. 5. c. 14.]	[^{F1} The Protection of Animals (Scotland) Act 1912].	[^{F1} Section 4.]
23 & 24 Geo. 5. c. 12.	The Children and Young Persons Act 1933.	Section 26(5).
8 & 9 Geo. 6. c. 44.	The Treason Act 1945.	The whole Act.
12, 13 & 14 Geo. 6. c. 94.	The Criminal Justice (Scotland) Act 1949.	Section 21. Section 75(3)(e).
15 & 16 Geo. 6. & 1 Eliz. 2. c. 61.	The Prisons (Scotland) Act 1952.	Section 7(4). Section 19. In section 31(4), in paragraph (i) of the proviso, the words “, section nineteen, subsections (2) to (6)

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		of section twenty” ; and paragraph (iv) of the proviso.
		Sections 32 and 33.
		Section 35(5)(a).
		In section 37(2), the words “Borstal institution” in both places where they occur.
8 & 9 Eliz. 2. c. 16.	The Road Traffic Act 1960.	Section 246.
9 & 10 Eliz. 2. c. 39. . . F2	The Criminal Justice Act 1961. . . F2	. . . F2
		In section 32(2), paragraph (b), and in paragraph (f) “11”.
		In section 38, in subsection (3)(a) the words “corrective training, preventive detention,” ; and in subsection (5)(a) the words “in a young offenders institution”.
		In section 39(1), in paragraph (b) of the definition of “appropriate institution”, the words “England and Wales or”.
1962 c. 52.	The Penalties for Drunkenness Act 1962.	In section 1(2)(a) the words “the first paragraph of subsection (1) of section seventy of the Licensing (Scotland) Act 1903,” and in section 1(2)(b) the words “or the said section seventy”.
1963 c. 39.	The Criminal Justice (Scotland) Act 1963.	Section 2.
		Sections 4 and 5.
		Section 9(1) and (2).
		Section 11.
		In section 50(1), the words “(other than orders made under section 11, section 12(1) or (3) or section 22)”.
1967 c. 76.	The Road Traffic Regulations Act 1967.	Section 93.

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1967 c. 80.	The Criminal Justice Act 1967.	In section 60— in subsection (6) the words from “—(a)” to “case,” in paragraph (b); and in subsection (8), in paragraph (c) the letter “(a)”. In section 70(1) the words “corrective training or preventive detention”.
1968 c. 27.	The Firearms Act 1968.	In Schedule 6 Part II, paragraph I.
1971 c. 77.	The Immigration Act 1971.	In section 6(5) the words “(a) except in Scotland” ; and the words from “; and (b)” to the end.
1972 c. 20.	The Road Traffic Act 1972.	In Schedule 4 Part IV, paragraph 3.
1974 c. 53.	The Rehabilitation of Offenders Act 1974.	In section 5(2), in Table B the words “or under section 7 of the Criminal Justice (Scotland) Act 1963”.
1975 c. 14.	The Social Security Act 1975.	Section 147(6).
1975 c. 21.	The Criminal Procedure (Scotland) Act 1975.	In section 68(3) the words “where the accused pleads not guilty at the first diet”. Section 74(3). Sections 105 to 107. Sections 120 to 122. In section 141, the words “and the spouse of the accused” ; in proviso (b) the words “or the spouse of the accused” ; provisos (c) and (d) ; and in proviso (g) the words “or section 143 of this Act”. In section 191(1) the words “under this Part of this Act”. In section 193(2) the words from “as” to the end. Section 195. Sections 197 to 202.

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Section 204.

Sections 208 to 211.

In section 218 the words “in a young offenders institution as defined in section 31(1)(d) of the Prisons (Scotland) Act 1952”.

In section 228, the proviso.

Section 229.

Section 232.

In section 234 in each of subsections (1) and (3) the words “or an applicant for leave to appeal” and the words “or application for leave to appeal”.

In section 236 the words “or application for leave to appeal”.

In section 240 the words “and on an application for leave to appeal”.

In section 245(3) the words “from the sheriff court”.

In section 247 the words “to give leave to appeal” and the words “or of an application for leave to appeal”.

Section 253(2).

In section 257 the words “or applicant” and in both places where they occur the words “or application for leave to appeal”.

In section 263(1) the words “or an application for leave to appeal”.

In section 265(3) the words “either upon grounds of law alone, or with the certificate of the said judge upon any grounds mentioned in section 228(b) of this Act”.

In section 272 the words “or of application for leave to

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appeal” ; in the three places where they occur the words “or application for leave to appeal” ; and the words “or application” in the fourth place where they occur.

In section 274(1) the words “or may be authorised” and the words “or application for leave to appeal”.

In section 277 the words “and application for leave to appeal” ; the words “or application” in both places where they occur ; the words “section 229” ; the words “section 232” ; and the words “section 233”.

In section 285, in paragraph (b), subparagraph (iv), and the proviso.

Section 289D(3)(c).

In section 296(5) the words “(including any continuation of diet)”.

In section 310 the word “subsequent” where it first occurs.

In section 314(3) the words “or a later”.

Section 337(e).

In section 346, the words “and the spouse of the accused” ; in paragraph (b) of the proviso the words “or the spouse of the accused” ; paragraphs (c) and (d) of the proviso ; and in paragraph (g) of the proviso the words “or section 348 of this Act”.

Section 365.

In section 392(1) the words “on indictment” and the words “under Part I of this Act”.

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		In section 399(1), the words from “and it” to the end.
		Section 405.
		Section 410.
		Section 411(2).
		Section 414.
		Sections 416 to 420.
		In section 434(3) the words from “and, without” to the end.
		Section 444(6).
		Section 445.
		In section 447(2) the words from “of the form” to “or”.
		Section 448(9).
		Section 454(2).
		Section 460(5) and (6).
		Schedule 4.
		In Schedule 7B, in paragraph 1, sub-paragraphs (1)(a) and (2)(c).
		In Schedule 9, paragraph 40.
1975 c. 61.	The Child Benefit Act 1975.	Section 11(8).
1976 c. 66.	The Licensing (Scotland) Act 1976.	Section 128(2).
1976 c. 67.	The Sexual Offences (Scotland) Act 1976.	Section 7.
		Section 16.
1976 c. 71.	The Supplementary Benefits Act 1976.	Section 26(5).
1977 c. 45.	The Criminal Law Act 1977.	In Schedule 11, paragraphs 11 to 13.
1979 c. 2.	The Customs and Excise Management Act 1979.	Section 149(2).

Textual Amendments

- F1** Entry relating to Protection of Animals (Scotland) Act 1912 in [Sch. 8](#) repealed (S.) (3.11.2006) by [The Animal Health and Welfare \(Scotland\) Act 2006 \(Consequential Provisions\) Order 2006 \(S.S.I. 2006/536\)](#), art. 1, [Sch. 3](#)

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F2 Sch. 8: Entry relating to s. 26(5) of the Criminal Justice Act 1961 repealed by [Statute Law \(Repeals\) Act 1986 \(c. 12\), s. 1\(1\), Sch. 1, Pt. I](#)

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