

Changes to legislation: There are currently no known outstanding effects for the Criminal Justice (Scotland) Act 1995, Part I. (See end of Document for details)

S C H E D U L E S

[^{F1}SCHEDULE 6

MINOR AND CONSEQUENTIAL AMENDMENTS]

Textual Amendments

- F1** Act repealed (S.) on 1.4.1996, except ss. 20(3)(5), 66 by [1995 c. 40, ss. 4, 6, 7\(2\), Sch. 3 Pt. II paras. 16\(3\), 17, Sch. 5](#); the repeal having effect in relation to s. 20(3)(5) on 1.4.1997 by virtue of [1995 c. 40, ss. 4, 6, Sch. 3 Pt. II para. 17, Sch. 5; 1995 c. 36, s. 105\(4\), Sch. 4 para. 60; S.I. 1996/3201, art. 3\(7\)](#) and in relation to s. 66 on 1.8.1997 by virtue of [1997 c. 48, s. 62\(1\)\(2\), Sch. 1 para. 16, Sch. 3; S.I. 1997/1712, art. 3, Sch.](#)

[^{F1}PART I

AMENDMENTS RELATING TO PART II

Textual Amendments

- F1** Act repealed (S.) on 1.4.1996, except ss. 20(3)(5), 66 by [1995 c. 40, ss. 4, 6, 7\(2\), Sch. 3 Pt. II paras. 16\(3\), 17, Sch. 5](#); the repeal having effect in relation to s. 20(3)(5) on 1.4.1997 by virtue of [1995 c. 40, ss. 4, 6, Sch. 3 Pt. II para. 17, Sch. 5; 1995 c. 36, s. 105\(4\), Sch. 4 para. 60; S.I. 1996/3201, art. 3\(7\)](#) and in relation to s. 66 on 1.8.1997 by virtue of [1997 c. 48, s. 62\(1\)\(2\), Sch. 1 para. 16, Sch. 3; S.I. 1997/1712, art. 3, Sch.](#)

The Criminal Procedure (Scotland) Act 1887 (c. 35)

1

The Criminal Justice (Scotland) Act 1949 (c. 94)

2

The Summary Jurisdiction (Scotland) Act 1954 (c. 48)

3

The Backing of Warrants (Republic of Ireland) Act 1965 (c. 45)

F24 In section 8(1)(b) of the Backing of Warrants (Republic of Ireland) Act 1965 (rules of court), for the words “457(a)” there shall be substituted “ 457ZA ”.

Changes to legislation: There are currently no known outstanding effects for the Criminal Justice (Scotland) Act 1995, Part I. (See end of Document for details)

Textual Amendments

- F2** Act repealed (S.) (1.4.1996, except ss. 20(3)(5), 66) by 1995 c. 40, ss. 4, 6, 7(2), Sch. 3 Pt. II paras. 16(3), 17, **Sch. 5**; the repeal having effect in relation to s. 20(3)(5) on 1.4.1997 by virtue of 1995 c. 40, ss. 4, 6, Sch. 3 Pt. II para. 17, **Sch. 5**; 1995 c. 36, s. 105(4), **Sch. 4 para. 60**; S.I. 1996/3201, art. 3(7) and in relation to s. 66 on 1.8.1997 by virtue of 1997 c. 48, s. 62(1)(2), Sch. 1 para. 16, **Sch. 3**; S.I. 1997/1712, art. 3, **Sch.**

The Criminal Justice Act 1967 (c. 80)

- F3⁵** In section 69(2) of the Criminal Justice Act 1967 (extension of enactments relating to persons sentenced to imprisonment or detention to young offenders), the words “, section 40 of the Prisons (Scotland) Act 1989” shall cease to have effect.

Textual Amendments

- F3** Act repealed (S.) (1.4.1996, except ss. 20(3)(5), 66) by 1995 c. 40, ss. 4, 6, 7(2), Sch. 3 Pt. II paras. 16(3), 17, **Sch. 5**; the repeal having effect in relation to s. 20(3)(5) on 1.4.1997 by virtue of 1995 c. 40, ss. 4, 6, Sch. 3 Pt. II para. 17, **Sch. 5**; 1995 c. 36, s. 105(4), **Sch. 4 para. 60**; S.I. 1996/3201, art. 3(7) and in relation to s. 66 on 1.8.1997 by virtue of 1997 c. 48, s. 62(1)(2), Sch. 1 para. 16, **Sch. 3**; S.I. 1997/1712, art. 3, **Sch.**

[^{F4}The Criminal Procedure (Scotland) Act 1975 (c. 21)]

Textual Amendments

- F4** Act repealed (S.)(1.4.1996, except ss. 20(3)(5), 66) by 1995 c. 40, ss. 4, 6, 7(2), Sch. 3 Pt. II paras. 16(3), 17, **Sch. 5**; the repeal having effect in relation to s. 20(3)(5) on 1.4.1997 by virtue of 1995 c. 40, ss. 4, 6, Sch. 3 Pt. II para. 17, **Sch. 5**; 1995 c. 36, s. 105(4), **Sch. 4 para. 60**; S.I. 1996/3201, art. 3(7) and in relation to s. 66 on 1.8.1997 by virtue of 1997 c. 48, s. 62(1)(2), Sch. 1 para. 16, **Sch. 3**; S.I. 1997/1712, art. 3, **Sch.**

- [F5⁶** The Criminal Procedure (Scotland) Act 1975 shall be amended as follows.]

Textual Amendments

- F5** Act repealed (S.)(1.4.1996, except ss. 20(3)(5), 66) by 1995 c. 40, ss. 4, 6, 7(2), Sch. 3 Pt. II paras. 16(3), 17, **Sch. 5**; the repeal having effect in relation to s. 20(3)(5) on 1.4.1997 by virtue of 1995 c. 40, ss. 4, 6, Sch. 3 Pt. II para. 17, **Sch. 5**; 1995 c. 36, s. 105(4), **Sch. 4 para. 60**; S.I. 1996/3201, art. 3(7) and in relation to s. 66 on 1.8.1997 by virtue of 1997 c. 48, s. 62(1)(2), Sch. 1 para. 16, **Sch. 3**; S.I. 1997/1712, art. 3, **Sch.**

- | | |
|----|-------|
| 7 | ..... |
| 8 | ..... |
| 9 | ..... |
| 10 | ..... |
| 11 | ..... |

Changes to legislation: There are currently no known outstanding effects for the
Criminal Justice (Scotland) Act 1995, Part I. (See end of Document for details)

12	.....
13	.....
14	.....
15	.....
16	.....
17	.....
18	.....
19	.....
20	.....
21	.....
22	.....
23	.....
24	.....
25	.....
26	.....
27	.....
28	.....
29	.....
30	.....
31	.....
32	.....
33	.....
34	.....
35	.....
36	.....
37	.....
38	.....
39	.....
40	.....
41	.....
42	.....
43	.....
44	.....
45	.....
46	.....

Changes to legislation: There are currently no known outstanding effects for the
Criminal Justice (Scotland) Act 1995, Part I. (See end of Document for details)

47	.....
48	.....
49	.....
50	.....
51	.....
52	.....
53	.....
54	.....
55	.....
56	.....
57	.....
58	.....
59	.....
60	.....
61	.....
62	.....
63	.....
64	.....
65	.....
66	.....
67	.....
68	.....
69	.....
70	.....
71	.....
72	.....
73	.....
74	.....
75	.....
76	.....
77	.....
78	.....
79	.....
80	.....
81	.....

Changes to legislation: There are currently no known outstanding effects for the Criminal Justice (Scotland) Act 1995, Part I. (See end of Document for details)

82	.....
83	.....
84	.....
85	.....
86	.....
87	.....
88	.....
89	.....
90	.....
91	.....
92	.....
93	.....
94	.....
95	.....
96	.....
97	.....
98	.....
99	.....
100	.....
101	.....
102	.....
103	.....
104	.....
105	.....
106	.....
107	.....
108	.....
109	.....
110	.....
111	.....
112	.....
113	.....
114	.....
115	.....
116	.....

Changes to legislation: There are currently no known outstanding effects for the Criminal Justice (Scotland) Act 1995, Part I. (See end of Document for details)

117	.....
118	.....
119	.....
120	.....
121	.....
122	.....
123	.....
124	.....
125	.....
126	.....
127	.....
128	.....
129	.....
130	.....
131	.....
132	.....
133	.....
134	.....
135	.....
136	.....
137	.....
138	.....
139	.....
140	.....

[^{F6}141 In section 413(1) (detention of children in residential care)—

- (a) after the word “authority” in the first place where it occurs there shall be inserted “ for such period not exceeding one year as may be specified in the order ”; and
- (b) the words from “and shall” to the end shall cease to have effect.]

Textual Amendments

F6 Act repealed (S.)(1.4.1996, except ss. 20(3)(5), 66) by **1995 c. 40**, ss. 4, 6, **7(2)**, Sch. 3 Pt. II paras. 16(3), **17**, **Sch. 5**; the repeal having effect in relation to s. 20(3)(5) on 1.4.1997 by virtue of **1995 c. 40**, ss. 4, 6, Sch. 3 Pt. II para. **17**, **Sch. 5**; **1995 c. 36**, s. **105(4)**, **Sch. 4 para. 60**; **S.I. 1996/3201**, **art. 3(7)** and in relation to s. 66 on 1.8.1997 by virtue of **1997 c. 48**, s. **62(1)(2)**, Sch. 1 para. 16, **Sch. 3**; **S.I. 1997/1712**, art. 3, **Sch.**

142	.....
143	.....

Changes to legislation: There are currently no known outstanding effects for the Criminal Justice (Scotland) Act 1995, Part I. (See end of Document for details)

144	.....
145	.....
146	.....
147	.....
148	.....
149	.....
150	.....
151	.....
152	.....
153	.....
154	.....
155	.....
156	.....
157	.....
158	.....

The Sexual Offences (Scotland) Act 1976 (c. 67)

159
-----	-------

The Community Service by Offenders (Scotland) Act 1978 (c. 49)

160	.....
161	.....
162	.....

The Criminal Justice (Scotland) Act 1980 (c. 62)

163
-----	-------

The Mental Health (Scotland) Act 1984 (c. 36)

164	.....
165	.....
166	.....
167	.....
168	.....
169	.....

The Criminal Justice (Scotland) Act 1987 (c. 41)

170
-----	-------

Changes to legislation: There are currently no known outstanding effects for the Criminal Justice (Scotland) Act 1995, Part I. (See end of Document for details)

[^{F7}The Road Traffic Offenders Act 1988 (c. 53)]

Textual Amendments

- F7** Act repealed (S.)(1.4.1996, except ss. 20(3)(5), 66) by [1995 c. 40, ss. 4, 6, 7\(2\), Sch. 3 Pt. II paras. 16\(3\), 17, Sch. 5](#); the repeal having effect in relation to s. 20(3)(5) on 1.4.1997 by virtue of [1995 c. 40, ss. 4, 6, Sch. 3 Pt. II para. 17, Sch. 5; 1995 c. 36, s. 105\(4\), Sch. 4 para. 60; S.I. 1996/3201, art. 3\(7\)](#) and in relation to s. 66 on 1.8.1997 by virtue of [1997 c. 48, s. 62\(1\)\(2\), Sch. 1 para. 16, Sch. 3; S.I. 1997/1712, art. 3, Sch.](#)

[^{F8}171 In section 19 of the Road Traffic Offenders Act 1988 (evidence of disqualification in Scotland)—

- (a) the existing provision shall become subsection (1);
 - (b) in that subsection for the words “less than six days before his trial” there shall be substituted “ more than seven days after the date of service of the copy ”; and
 - (c) after that subsection there shall be inserted—
- “(2) A copy of a conviction or extract conviction served on the accused under subsection (1) above shall be served in such manner as may be prescribed by Act of Adjournal, and a written execution purporting to be signed by the person who served such copy conviction or extract conviction together with, where appropriate, the relevant post office receipt shall be sufficient evidence of service of such a copy.”].

Textual Amendments

- F8** Act repealed (S.)(1.4.1996, except ss. 20(3)(5), 66) by [1995 c. 40, ss. 4, 6, 7\(2\), Sch. 3 Pt. II paras. 16\(3\), 17, Sch. 5](#); the repeal having effect in relation to s. 20(3)(5) on 1.4.1997 by virtue of [1995 c. 40, ss. 4, 6, Sch. 3 Pt. II para. 17, Sch. 5; 1995 c. 36, s. 105\(4\), Sch. 4 para. 60; S.I. 1996/3201, art. 3\(7\)](#) and in relation to s. 66 on 1.8.1997 by virtue of [1997 c. 48, s. 62\(1\)\(2\), Sch. 1 para. 16, Sch. 3; S.I. 1997/1712, art. 3, Sch.](#)

[^{F9}172 In section 20 of that Act (admissibility of certain evidence regarding speeding offences etc.), after subsection (8) there shall be inserted the following subsection—

- “(8A) As respects proceedings in Scotland, a copy of a document served on a person under subsection (8) above shall be served in such manner as may be prescribed by Act of Adjournal, and a written execution purporting to be signed by the person who served such copy document together with, where appropriate, the relevant post office receipt shall be sufficient evidence of service of such a copy.”].

Textual Amendments

- F9** Act repealed (S.)(1.4.1996, except ss. 20(3)(5), 66) by [1995 c. 40, ss. 4, 6, 7\(2\), Sch. 3 Pt. II paras. 16\(3\), 17, Sch. 5](#); the repeal having effect in relation to s. 20(3)(5) on 1.4.1997 by virtue of [1995 c. 40, ss. 4, 6, Sch. 3 Pt. II para. 17, Sch. 5; 1995 c. 36, s. 105\(4\), Sch. 4 para. 60; S.I. 1996/3201, art. 3\(7\)](#) and in relation to s. 66 on 1.8.1997 by virtue of [1997 c. 48, s. 62\(1\)\(2\), Sch. 1 para. 16, Sch. 3; S.I. 1997/1712, art. 3, Sch.](#)

Changes to legislation: There are currently no known outstanding effects for the Criminal Justice (Scotland) Act 1995, Part I. (See end of Document for details)

- [^{F10}173 In sections 31(2) (court may take account of particulars endorsed on licence) and 32(6) (court may take account of extract from licensing records) of that Act—
(a) for the words “sections 311(5) and” there shall be substituted “ section ”;
and
(b) the words “penalties and” shall cease to have effect.]

Textual Amendments

- F10** Act repealed (S.)(1.4.1996, except ss. 20(3)(5), 66) by [1995 c. 40, ss. 4, 6, 7\(2\), Sch. 3 Pt. II paras. 16\(3\), 17, Sch. 5](#); the repeal having effect in relation to s. 20(3)(5) on 1.4.1997 by virtue of [1995 c. 40, ss. 4, 6, Sch. 3 Pt. II para. 17, Sch. 5; 1995 c. 36, s. 105\(4\), Sch. 4 para. 60; S.I. 1996/3201, art. 3\(7\)](#) and in relation to s. 66 on 1.8.1997 by virtue of [1997 c. 48, s. 62\(1\)\(2\), Sch. 1 para. 16, Sch. 3; S.I. 1997/1712, art. 3, Sch.](#)

The Law Reform (Miscellaneous Provisions) (Scotland) Act 1990 (c. 40)

- 174
175
176
177

[^{F11}*The Criminal Justice Act 1991 (c. 53)]*

Textual Amendments

- F11** Act repealed (S.)(1.4.1996, except ss. 20(3)(5), 66) by [1995 c. 40, ss. 4, 6, 7\(2\), Sch. 3 Pt. II paras. 16\(3\), 17, Sch. 5](#); the repeal having effect in relation to s. 20(3)(5) on 1.4.1997 by virtue of [1995 c. 40, ss. 4, 6, Sch. 3 Pt. II para. 17, Sch. 5; 1995 c. 36, s. 105\(4\), Sch. 4 para. 60; S.I. 1996/3201, art. 3\(7\)](#) and in relation to s. 66 on 1.8.1997 by virtue of [1997 c. 48, s. 62\(1\)\(2\), Sch. 1 para. 16, Sch. 3; S.I. 1997/1712, art. 3, Sch.](#)

- [^{F12}178 In Schedule 3 to the Criminal Justice Act 1991 (reciprocal enforcement of certain orders), in paragraph 6(5)(a)(i), for the words “evidence on oath” there shall be substituted “ information ”.]

Textual Amendments

- F12** Act repealed (S.)(1.4.1996, except ss. 20(3)(5), 66) by [1995 c. 40, ss. 4, 6, 7\(2\), Sch. 3 Pt. II paras. 16\(3\), 17, Sch. 5](#); the repeal having effect in relation to s. 20(3)(5) on 1.4.1997 by virtue of [1995 c. 40, ss. 4, 6, Sch. 3 Pt. II para. 17, Sch. 5; 1995 c. 36, s. 105\(4\), Sch. 4 para. 60; S.I. 1996/3201, art. 3\(7\)](#) and in relation to s. 66 on 1.8.1997 by virtue of [1997 c. 48, s. 62\(1\)\(2\), Sch. 1 para. 16, Sch. 3; S.I. 1997/1712, art. 3, Sch.](#)

The Prisoners and Criminal Proceedings (Scotland) Act 1993 (c.9)

- 179

Changes to legislation:

There are currently no known outstanding effects for the Criminal Justice (Scotland) Act 1995, Part I.