



Criminal Procedure (Scotland) Act 1995

1995 CHAPTER 46

PART XII

EVIDENCE

[^{F1} Proof of age

Textual Amendments

- F1** S. 255A and preceding cross-heading inserted (1.8.1997) by [1997 c. 48, s. 27](#); [S.I. 1997/1712, art. 3](#), [Sch. 1](#) (subject to [arts. 4, 5](#))

^{F2}255A **Proof of age.**

Where the age of any person is specified in an indictment or a complaint, it shall, unless challenged—

- (a) in the case of proceedings on indictment by giving notice of a preliminary objection [^{F3}in accordance with section 71(2) or 72(6)(b)(i)] of this Act; or
- (b) in summary proceedings—
 - (i) by preliminary objection before the plea of the accused is recorded; or
 - (ii) by objection at such later time as the court may in special circumstances allow,be held as admitted.]]

Textual Amendments

- F2** S. 255A and preceding cross-heading inserted (1.8.1997) by [1997 c. 48, s. 27](#); [S.I. 1997/1712, art. 3](#), [Sch. 1](#) (subject to [arts. 4, 5](#))
- F3** Words in s. 255A(a) substituted (1.2.2005) by [Criminal Procedure \(Amendment\) \(Scotland\) Act 2004 \(asp 5\)](#), [ss. 25, 27\(1\)](#), [Sch. para. 39](#); [S.S.I. 2004/405, art. 2](#), [Sch. 1](#) (with savings in [arts. 3-5](#))

Status:

Point in time view as at 30/01/2012.

Changes to legislation:

Criminal Procedure (Scotland) Act 1995, Cross Heading: Proof of age is up to date with all changes known to be in force on or before 05 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.