

SCHEDULE

Article 2

Table of commencements of the 2004 Act

<i>Column 1</i> <i>Provisions to be commenced</i>	<i>Column 2</i> <i>Purposes for which the provision is to be commenced</i>
Section 1 insofar as it substitutes for section 271 of the 1995 Act sections 271 (insofar as not already commenced), 271F(8) (b), 271H(1)(a) and 271I	<p>Only in respect of child witnesses as referred to in section 271(1)(a) of the 1995 Act and only in respect of solemn proceedings in the High Court and sheriff court, other than those in which, at the time the court is considering a child witness notice under section 271A(5) or 271A(9) of the 1995 Act, or is reviewing the current arrangements for taking a child witness's evidence under section 271D(1) of the 1995 Act—</p> <ul style="list-style-type: none"> (a) the accused is charged with a sexual offence to which section 288C of the 1995 Act applies; (b) the accused is charged with an offence in respect of which the court has made an order under section 288C(4) of the 1995 Act; (c) section 288E of the 1995 Act applies to the proceedings in respect of which the child witness notice under consideration has been lodged or is being reviewed; or (d) an order has been made under section 288F(2) in the proceedings in respect of which the child witness notice under consideration has been lodged or is being reviewed.
Section 3 insofar as it inserts section 15A (insofar as not already commenced) (other than the reference in section 15A(3)(b) to section 271C)	<p>Only in respect of child witnesses as referred to in section 271(1)(a) of the 1995 Act and only in respect of solemn proceedings in the High Court and sheriff court, other than those in which, at the time the court is considering a child witness notice under section 271A(5) or 271A(9) of the 1995 Act, or is reviewing the current arrangements for taking a child witness's evidence under section 271D(1) of the 1995 Act—</p> <ul style="list-style-type: none"> (a) the accused is charged with a sexual offence to which section 288C of the 1995 Act applies; (b) the accused is charged with an offence in respect of which the court has made an order under section 288C(4) of the 1995 Act; (c) section 288E of the 1995 Act applies to the proceedings in respect of which the

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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	<p>child witness notice under consideration has been lodged or is being reviewed; or</p> <p>(d) an order has been made under section 288F(2) in the proceedings in respect of which the child witness notice under consideration has been lodged or is being reviewed.</p>
Section 11(1)(a) and (3)	Only in respect of proceedings in the sheriff court under Part II of the Children (Scotland) Act 1995(1) in respect of applications under sections 65(7) and 65(9) of that Act and only in respect of child witnesses.
Section 11(5) (insofar as not already commenced), except there shall be omitted the definition of vulnerable witness application	<p>Only in respect of child witnesses and only in respect of proceedings in the sheriff court under Part II of the Children (Scotland) Act 1995 in respect of—</p> <p>(a) appeals under section 51(1) of that Act;</p> <p>(b) applications under sections 65(7) and 65(9) of that Act other than applications to which section 68A(1)(a) of that Act applies; or</p> <p>(c) applications under section 85 of that Act other than applications to which section 68A(1)(b) of that Act applies.</p>
Sections 12(1) to (4), 13 to 15 (with omission of “or a vulnerable witness application” in section 15(1)(a) and the omission of “or vulnerable witness application” in section 15(4)(a)), 16 (with omission in the first line of “or other person”) and 17(2)	Only in respect of proceedings in the sheriff court under Part II of the Children (Scotland) Act 1995 in respect of applications under sections 65(7) and 65(9) of that Act and only in respect of child witnesses.
Section 18(1)(a)	<p>Only in respect of child witnesses and only in respect of proceedings in the sheriff court under Part II of the Children (Scotland) Act 1995 in respect of—</p> <p>(a) appeals under section 51(1) of that Act;</p> <p>(b) applications under sections 65(7) and 65(9) of that Act other than applications to which section 68A(1)(a) of that Act applies; or</p> <p>(c) applications under section 85 of that Act other than applications to which section 68A(1)(b) of that Act applies.</p>
Section 18(1)(b) to (e) and (2)	Only in respect of proceedings in the sheriff court under Part II of the Children (Scotland)

(1) 1995 c. 36; section 51 was amended by the [Antisocial Behaviour etc. \(Scotland\) Act 2004 \(asp 8\)](#), Schedule 4, paragraph 4 and section 65 was amended by section 12(4) of that Act. Section 68A was added by the [Vulnerable Witnesses \(Scotland\) Act 2004 \(asp 3\)](#), section 23.

<i>Column 1</i> <i>Provisions to be commenced</i>	<i>Column 2</i> <i>Purposes for which the provision is to be commenced</i>
Section 19	Act 1995 in respect of applications under sections 65(7) and 65(9) of that Act and only in respect of child witnesses. Only in respect of child witnesses and only in respect of proceedings in the sheriff court under Part II of the Children (Scotland) Act 1995 in respect of— (a) appeals under section 51(1) of that Act; (b) applications under sections 65(7) and 65(9) of that Act other than applications to which section 68A(1)(a) of that Act applies; or (c) applications under section 85 of that Act other than applications to which section 68A(1)(b) of that Act applies.
Sections 20 to 22	Only in respect of proceedings in the sheriff court under Part II of the Children (Scotland) Act 1995 in respect of applications under sections 65(7) and 65(9) of that Act and only in respect of child witnesses.