

*Status: Point in time view as at 01/04/1996.*

*Changes to legislation: Criminal Procedure (Scotland) Act 1975, Cross Heading: Trial Procedure is up to date with all changes known to be in force on or before 22 May 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. (See end of Document for details)*



# Criminal Procedure (Scotland) Act 1975

## 1975 CHAPTER 21

### PART II

#### SUMMARY PROCEDURE

##### *F1* Trial Procedure

#### Textual Amendments

**F1** Act repealed (S.) (1.4.1996) by [Criminal Procedure \(Consequential Provisions\) \(Scotland\) Act 1995](#) (c. 40), s. 6(1), [Sch. 5](#) (with ss. 4, 6(2), [Sch. 3](#) paras. 3, 16, [Sch. 6](#))

**F1** **334** Procedure at first diet, etc.

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**F1** **335** Amendment of complaint.

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**F1** **336** .....

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**F1** **337** Plea of not guilty.

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**F1** **337A** Intermediate diet.

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**F1337B Removal of accused from court.**

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**F1338 Failure of accused to appear.**

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**F1338A Desertion of trial diet.**

.....

**F1339 Alibi.**

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**F1340 Examination of witness.**

.....

**F1341 Witnesses not to be excluded by reason of conviction, interest, etc.**

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**F1342 Witnesses admissible notwithstanding relationship to parties.**

.....

**F1342A Power to permit witness to be in court during trial.**

.....

**F1343 Presence in court not to disqualify witnesses in certain cases.**

.....

**F1344 Punishment of witness for contempt.**

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**F1345** .....

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**F1345A No case to answer.**

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**F1346 Accused and spouse competent witnesses for defence.**

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**<sup>F1</sup>346A Evidence in relation to sexual offences.**

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**<sup>F1</sup>346ZAEvidence of criminal record and character of accused.**

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**<sup>F1</sup>346B Exceptions to prohibition.**

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**<sup>F1</sup>347 Evidence of the accused.**

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**<sup>F1</sup>348 Spouse to be competent witness.**

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**<sup>F1</sup>349 Witness may be examined etc., as to having previously made a different statement.**

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**<sup>F1</sup>349A Recall of witnesses.**

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**<sup>F1</sup>350 Additional evidence.**

.....

**<sup>F1</sup>350A Evidence in replication.**

.....

**<sup>F1</sup>351 Defence to speak last.**

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**<sup>F1</sup>352 Record of proceedings at examination to be received in evidence without being sworn to by witnesses.**

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**<sup>F1</sup>353 Proof of official documents.**

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**F1354 Admissions by parties.**  
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**F1355 Judges equally divided.**  
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**F1356 Previous convictions.**  
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**F1357 Laying of previous convictions before court.**  
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**F1358 Proof of previous convictions by fingerprints.**  
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**F1359 Record.**  
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**F1360** .....  
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