

*These notes relate to the Criminal Procedure (Amendment) (Scotland)  
Act 2004 (asp 5) which received Royal Assent on 4th June 2004*

# **CRIMINAL PROCEDURE (AMENDMENT) (SCOTLAND) ACT 2004**

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## **EXPLANATORY NOTES**

### **COMMENTARY ON SECTIONS**

#### **Part 2 - Solemn Proceedings Generally**

##### ***Section 12 - Service etc. on accused through solicitor***

118. **Section 12** introduces a new section 72G into the 1995 Act in relation to service on the accused through his solicitor.
119. Subsection (1) provides that anything which requires to be served on, given, notified or otherwise intimated to an accused shall be taken to be served, given, notified or intimated if served on, given, notified or intimated to the solicitor acting for the accused at the solicitor's place of business, The relevant solicitor is, in terms of subsection (2) the solicitor who has intimated to the prosecutor under section 72F(1) that he is engaged by the accused for the purpose of his defence and has not informed the prosecutor that he has been dismissed or has withdrawn or alternatively a solicitor who has been appointed by the court under section 92 or 288D of the 1995 Act. The form and manner of service intimation etc. will be as prescribed by Act of Adjournal.