



# Criminal Procedure (Amendment) (Scotland) Act 2004

2004 asp 5

## PART 4

### MISCELLANEOUS AND GENERAL

#### *Miscellaneous*

#### **20 Sentence following guilty plea**

- (1) Section 196 (sentence following guilty plea) of the 1995 Act is amended as follows.
- (2) In subsection (1), for “may” substitute “shall”.
- (3) After subsection (1) insert—

“(1A) In passing sentence on an offender referred to in subsection (1) above, the court shall—

- (a) state whether, having taken account of the matters mentioned in paragraphs (a) and (b) of that subsection, the sentence imposed in respect of the offence is different from that which the court would otherwise have imposed; and
- (b) if it is not, state reasons why it is not.”.