



Criminal Proceedings etc. (Reform) (Scotland) Act 2007

2007 asp 6

PART 2 **S**

PROCEEDINGS

Transfer of summary cases

23 Time bar for transferred and related cases **S**

After section 136 of the 1995 Act there is inserted—

“136A Time limits for transferred and related cases

- (1) This section applies where the prosecutor recommences proceedings by complaint containing both—
 - (a) a charge to which proceedings—
 - (i) transferred to a court by authority of an order made in pursuance of section 137A(1) of this Act; or
 - (ii) transferred to, or taken at, a court by authority of an order made in pursuance of section 137B(1), (1A) or (1C) of this Act, relate; and
 - (b) a charge to which previous proceedings at that court relate.
- (2) Where this section applies, proceedings for an offence charged in that complaint are, for the purposes of—
 - (a) section 136 of this Act (so far as applying to the offence);
 - (b) any provision of any other enactment for a time limit within which proceedings are to be commenced (so far as applying to the offence); and
 - (c) any rule of law relating to delay in bringing proceedings (so far as applying to the offence),

Changes to legislation: *There are currently no known outstanding effects for the Criminal Proceedings etc. (Reform) (Scotland) Act 2007, Section 23. (See end of Document for details)*

to be regarded as having been commenced when any previous proceedings for the offence were first commenced.”.

Changes to legislation:

There are currently no known outstanding effects for the Criminal Proceedings etc. (Reform) (Scotland) Act 2007, Section 23.