

*These notes relate to the Criminal Justice and Licensing (Scotland)
Act 2010 (asp 13) which received Royal Assent on 6 August 2010*

CRIMINAL JUSTICE AND LICENSING (SCOTLAND) ACT 2010

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 6 - Disclosure

Section 129 – Review of ruling under section 128

607. This section allows the accused to apply to the court to review its earlier ruling in terms of section 128. Such an application can be made if the accused becomes aware of further information following the ruling and considers that had this further information been available to the court at the earlier hearing, the court would have made a ruling to disclose the original information.
608. Subsection (3) provides the content of the accused's written application to the court.
609. Subsections (4) to (7) provide the duties of the court upon receipt of such an application including the disposals available to the court. Under subsection (8) unless it is impracticable to do so the justice of the peace, sheriff or judge who is presiding or will preside at the trial must deal with the application.