



Criminal Justice (Scotland) Act 2016

2016 asp 1

PART 1

ARREST AND CUSTODY

CHAPTER 7

GENERAL

Disapplication of Part

58 Disapplication in relation to service offences

- (1) References in this Part to an offence do not include a service offence.
- (2) Nothing in this Part applies in relation to a person who is arrested in respect of a service offence.

[^{F1}(2A) This section is subject to Schedule 4 to the Criminal Justice (Scotland) Act 2016 (Consequential Provisions) Order 2018 (S.I. 2018/46).]

- (3) In this section, “service offence” has the meaning given by section 50(2) of the Armed Forces Act 2006.

Textual Amendments

- F1** S. 58(2A) inserted (25.1.2018) by [The Criminal Justice \(Scotland\) Act 2016 \(Consequential Provisions\) Order 2018 \(S.I. 2018/46\)](#), arts. 2(2)(e), **24(2)**

Commencement Information

- I1** S. 58 in force at 25.1.2018 by [S.I. 2017/345](#), art. 3, [sch.](#)

Changes to legislation:

Criminal Justice (Scotland) Act 2016, Section 58 is up to date with all changes known to be in force on or before 19 August 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.

[View outstanding changes](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

- Act expiry of affecting provision 2022 asp 8, sch. para. 15 by [S.S.I. 2023/360 reg. 2\(a\)](#)

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 38(7)(a) words renumbered as s. 38(7)(a) by [2024 asp 5 s. 15\(6\)\(a\)](#)
- s. 38(7)(b) and word inserted by [2024 asp 5 s. 15\(6\)\(b\)](#)
- s. 41(1A) inserted by [2024 asp 5 s. 15\(7\)\(b\)](#)