

*Status: Point in time view as at 01/04/2005.*

*Changes to legislation: There are currently no known outstanding effects for the Criminal Procedure (Amendment) (Scotland) Act 2004, Paragraph 25. (See end of Document for details)*

## SCHEDULE **S**

### FURTHER MODIFICATIONS OF THE 1995 ACT

- 25 In section 78 (special defences, incrimination and notice of witnesses etc.)—
- (a) in subsection (1), in paragraph (a), the words from—
    - “(i) where”to the end are repealed,
  - (b) in subsection (3)—
    - (i) in paragraph (a)—
      - (A) for “the accused is cited to the High Court for the trial diet” substitute “ the case is to be tried in the High Court ”,
      - (B) for “10 clear days before the trial diet” substitute “ seven clear days before the preliminary hearing ”,
    - (ii) in paragraph (b), for “accused is cited to the sheriff court for the trial diet” substitute “ case is to be tried in the sheriff court ”,
  - (c) in subsection (4)(a)(ii), for the words from “ten” to the end substitute “ seven clear days before the preliminary hearing ”,
  - (d) in subsection (5), for the words “the trial diet, for the use of the court” substitute—
    - “(a) where the case is to be tried in the High Court, the preliminary hearing;
    - (b) where the case is to be tried in the sheriff court, the trial diet,for the use of the court. ”.

#### Commencement Information

**II** Sch. para. 25 in force at 1.2.2005 by [S.S.I. 2004/405](#), [art. 2\(1\)](#), [sch. 1](#) (with [arts. 3-5](#))

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