
SCOTTISH STATUTORY INSTRUMENTS

2005 No. 590

The Vulnerable Witnesses (Scotland) Act 2004 (Commencement No. 2, Saving and Transitional Provisions) Order 2005

Citation

1. This Order may be cited as the Vulnerable Witnesses (Scotland) Act 2004 (Commencement No. 2, Saving and Transitional Provisions) Order 2005.

Appointed day

2.—(1) 30th November 2005 is the day appointed for the coming into force of the provisions of the Vulnerable Witnesses (Scotland) Act 2004 set out in column 1 of the table of commencements in the Schedule to this Order.

(2) The provisions referred to in subsection (1) shall come into force only for the purposes set out in column 2 of the table of commencements in the Schedule to this Order.

Definitions

3. In this Order—

“the 1995 Act” means the Criminal Procedure (Scotland) Act 1995(1); and

“the 2004 Act” means the Vulnerable Witnesses (Scotland) Act 2004.

Saving and transitional provisions

4.—(1) The provisions of the 2004 Act brought into force by this Order shall, in respect of solemn proceedings in the High Court and the sheriff court, apply only to solemn proceedings commenced on or after 30th November 2005, with proceedings being taken to have commenced when a report of the case has been received by the procurator fiscal.

(2) Part 2 of the 2004 Act, commenced by this Order in respect of children’s hearings court proceedings, shall apply only in respect of hearings of relevant appeals and applications which have been lodged on or after 30th November 2005.

St Andrew’s House, Edinburgh
23rd November 2005

HUGH HENRY
Authorised to sign by the Scottish Ministers

(1) 1995 c. 46; section 271 was repealed and substituted with a new section and sections 271A to 271I were added by the [Vulnerable Witnesses \(Scotland\) Act 2004 \(asp 3\)](#), section 1 (“the 2004 Act”); section 288C was added by the [Sexual Offences \(Procedure and Evidence\) \(Scotland\) Act 2002 \(asp 9\)](#), section 1 and sections 288E and 288F were added by the 2004 Act, section 6.