
SCOTTISH STATUTORY INSTRUMENTS

2007 No. 479

**The Criminal Proceedings etc. (Reform)
(Scotland) Act 2007 (Commencement No. 2 and
Transitional Provisions and Savings) Order 2007**

Transitional provision relating to sentencing powers

12.—(1) The provisions of sections 43, 45(1) and (2), 47(1) and (2) and 48 of the 2007 Act shall apply only to proceedings where either of the requirements in paragraph (2) are met.

(2) The requirements are that—

(a) a first calling took place on or after 10th December 2007; or

(b) a first calling has not taken place, but a warrant under section 135 or section 139(1)(b) of the 1995 Act was granted on or after 10th December 2007.

(3) For the purposes of paragraph (2) a first calling means a first calling under section 144 of the 1995 Act but does not include any continuation or adjournment thereof.

(4) Paragraph (3) applies despite the provisions of section 144(9) of the 1995 Act.