
SCOTTISH STATUTORY INSTRUMENTS

2008 No. 7

CRIMINAL LAW

**The Criminal Procedure (Scotland) Act 1995
Compensation Offer (Maximum Amount) Order 2008**

Made - - - - 15th January 2008
*Laid before the Scottish
Parliament* - - - - 16th January 2008
Coming into force - - 10th March 2008

The Scottish Ministers make the following Order in exercise of the powers conferred by section 302A(8) of the Criminal Procedure (Scotland) Act 1995(1) and all other powers enabling them to do so.

Citation

1. This Order may be cited as the Criminal Procedure (Scotland) Act 1995 Compensation Offer (Maximum Amount) Order 2008 and comes into force on 10th March 2008.

Maximum amount

2. For the purposes of section 302A of the Criminal Procedure (Scotland) Act 1995 the maximum amount of a compensation offer is £5,000.

St Andrew's House,
Edinburgh
15th January 2008

KENNY MACASKILL
A member of the Scottish Executive

(1) 1995 c. 46. Section 302A(8) of the Criminal Procedure (Scotland) Act 1995 will be inserted by section 50(2) of the [Criminal Proceedings etc. \(Reform\) \(Scotland\) Act 2007 \(2007 asp 6\)](#), which is being brought into force on 10th March 2008.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

EXPLANATORY NOTE

(This note is not part of the Order)

Section 50(2) of the Criminal Proceedings etc. (Reform) (Scotland) Act 2007 introduces, among others, new section 302A (compensation offer by procurator fiscal) into the Criminal Procedure (Scotland) Act 1995.

Section 50(2) of the Criminal Proceedings etc. (Reform) (Scotland) Act 2007 will be brought into force on 10th March 2008.

Under section 302A a procurator fiscal is permitted to issue a compensation offer to an alleged offender where it seems that a relevant offence has been committed. A relevant offence is defined in section 302A(13) as an offence which can be tried summarily and for which, on conviction, a court could competently have made a compensation order under section 249 of the Criminal Procedure (Scotland) Act 1995.

In accordance with section 302A(8) of the 1995 Act, article 2 of this Order prescribes the maximum amount of a compensation offer which a procurator fiscal may issue to an alleged offender. That amount is set at £5,000.