
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.