
SCOTTISH STATUTORY INSTRUMENTS

2017 No. 345

**The Criminal Justice (Scotland) Act 2016 (Commencement
No. 5, Transitional and Saving Provisions) Order 2017**

Arrest under section 1 following detention- transitional provision

6.—(1) This article applies where a person arrested under section 1 of the 2016 Act has previously—

- (a) been detained in relation to the same offence as that in respect of which the person is arrested, or in relation to an offence arising from the same circumstances as that offence; and
 - (b) left police custody following that detention.
- (2) No authorisation for keeping the person in custody may be given under section 7 of that Act.