



Criminal Justice (Scotland) Act 1963

1963 CHAPTER 39

PART I

PROVISIONS WITH RESPECT TO SENTENCES AND ORDERS INFERRING DETENTION

Miscellaneous

16 Amendment of s. 8 of the Summary Jurisdiction (Scotland) Act 1954

In section 8 of the Summary Jurisdiction (Scotland) Act 1954 (which provides in certain cases where the person convicted has two previous convictions for a maximum sentence of six months imprisonment), for paragraphs (a) and (b) there shall be substituted the following paragraphs:—

- “(a) a second or subsequent offence inferring dishonest appropriation of property, or attempt thereat, or
- (b) a second or subsequent offence inferring personal violence”.

17 Amendment of First Offenders (Scotland) Act 1960

- (1) For the purposes of the First Offenders (Scotland) Act 1960, any order made by a court of summary jurisdiction under section 1 or section 2 of the Criminal Justice (Scotland) Act 1949 (which provide for absolute discharge and probation) shall be treated as a conviction.
- (2) For the purpose of determining whether a person is a first offender within the meaning of that Act, a previous conviction shall be disregarded after the expiration of a period of ten years from the date of that conviction, being a period exclusive of any period spent by him in custody under sentence in respect of the conviction.