

**Status:** Point in time view as at 01/10/1993.

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## SCHEDULES

### SCHEDULE 1

#### OFFENCES AGAINST CHILDREN UNDER THE AGE OF 17 YEARS TO WHICH SPECIAL PROVISIONS APPLY

- (a) Any offence under the [<sup>F1M1</sup>Sexual Offences (Scotland) Act 1976]
- [<sup>F2</sup>(aa) any offence under section 80(7) of the <sup>M2</sup>Criminal Justice (Scotland) Act 1980 (commission of a homosexual act in certain circumstances).]
- <sup>F3</sup>(b) .....
- (c) Any offence under section 12, <sup>F4</sup>... 15, 22 or 33 of the <sup>M3</sup>Children and Young Persons (Scotland) Act 1937.
- (d) Any other offence involving bodily injury to a child under the age of 17 years.
- [<sup>F5</sup>(e) any offence involving the use of lewd, indecent or libidinous practice or behaviour towards a child under the age of 17 years.]

#### Textual Amendments

- F1** Words substituted by [Sexual Offences \(Scotland\) Act 1976 \(c. 67, SIF 39:5\)](#), **Sch. 1**
- F2** [Sch. 1 para. \(aa\)](#) inserted (29.7.1988) by [Criminal Justice Act 1988 \(c. 33, SIF 39:1\)](#), ss. 170(1), 171(5), **Sch. 15 para. 50** (with [Sch. 8 para. 16](#))
- F3** [Sch. 1 para. \(b\)](#) repealed by [Incest and Related Offences Act 1986 \(c. 36, SIF 39:5\)](#), s. 3(2), **Sch. 2**
- F4** Words repealed by [Sexual Offences \(Scotland\) Act 1976 \(c. 67, SIF:39:5\)](#), **Sch. 2**
- F5** [Sch. 1 para. \(e\)](#) inserted (29.7.1988) by [Criminal Justice Act 1988 \(c. 33, SIF 39:1\)](#), ss. 170(1), 171(5), **Sch. 15 para. 51** (with [Sch. 8 para. 16](#))

#### Marginal Citations

- M1** [1976 c. 67\(39:5\)](#).
- M2** [1980 c. 62\(39:1\)](#).
- M3** [1937 c. 37\(20\)](#).

#### Textual Amendments

- F1** Words substituted by [Sexual Offences \(Scotland\) Act 1976 \(c. 67, SIF 39:5\)](#), **Sch. 1**
- F2** [Sch. 1 para. \(aa\)](#) inserted (29.7.1988) by [Criminal Justice Act 1988 \(c. 33, SIF 39:1\)](#), ss. 170(1), 171(5), **Sch. 15 para. 50** (with [Sch. 8 para. 16](#))
- F3** [Sch. 1 para. \(b\)](#) repealed by [Incest and Related Offences Act 1986 \(c. 36, SIF 39:5\)](#), s. 3(2), **Sch. 2**
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**M3** 1937 c. 37(20).

## <sup>F6</sup>~~F6~~SCHEDULE 2

### Textual Amendments

**F6** Sch. 2 repealed by Law Reform (Miscellaneous Provisions) (Scotland) Act 1980 (c. 55, SIF 72:2), Sch. 3

F6

## SCHEDULE 3

### COMPOSITION OF JURIES

#### *Summoning of Jurors.—Lists of Assize*

- 1 Where a list of assize falls to be returned upon requisition of the Clerk of Justiciary for a criminal trial in which the second diet is to be held before the High Court, or falls to be prepared by the clerk of the district where the second diet is to be held in cases in which the second diet is to be in a sheriff court, the following provisions shall apply, namely:—
- (a) Where according to the existing law and practice the number of jurors in any list to be requisitioned by the Clerk of Justiciary would not exceed 45 in the case of a sitting of the High Court, the Clerk shall make requisition for a return of such a number of jurors—not exceeding 90, nor fewer than 60 where 45 would be requisitioned, and in the like proportion in other cases—as he may deem requisite: and the sheriffs responsible for making the return shall return such increased number accordingly, returning as nearly as possible the names of men and women equally.
  - (b) Where a number of jurors in excess of the numbers specified in the preceding subparagraph is to be requisitioned, the Act of Adjournal or the Lord Commissioner of Justiciary making the direction for the return shall specify the number of jurors to be returned; and of the number so specified, men and women respectively shall be returned as nearly as may be equally.
  - (c) The provisions of this Act regulating the proportions in which jurors are to be drawn from the various districts included in any area for which a return is made by a sheriff, shall extend to and be observed in the return of women as well as of men.
  - (d) In making his return the sheriff shall group the men and women respectively returned by him separately, by placing their names in different columns, or in some other convenient manner.
  - (e) The clerk charged with the preparation of any list of assize for a trial of which the second diet is appointed to be held in a sheriff court, shall, in preparing the same, include such equal number of women as of men therein as shall seem to him to be reasonably sufficient to ensure the attendance of

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a number of jurors of each sex so as to provide a jury of that sex only, if such should be required for the trial of such case or cases.

- (f) A husband and wife shall not be returned in any case on the same list of assize.

*Jury of Men only, or of Women only*

- 2 Any application by a prosecutor or by the accused in terms of section 100 of this Act for a jury of men only, or of women only, must [<sup>F7</sup>be lodged, at least 15 clear days before the trial diet, with the clerk of the court before which that diet is to be.] An entry recording the making of the application shall be entered on the record copy of the indictment, and signed by [<sup>F7</sup>a judge of that court; and that judge shall deal with the application in chambers. The accused, if represented by counsel or by a solicitor, shall not be entitled to attend.]

**Textual Amendments**

**F7** Words substituted by [Criminal Justice \(Scotland\) Act 1980 \(c. 62, SIF 39:1\)](#), [Sch. 7 para. 78\(a\)](#)

- 3 The judge's decision under the foregoing rule shall be recorded on the record copy of the indictment and shall be final.

<sup>F8</sup> .....

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**Textual Amendments**

**F8** [Para. 3](#) substituted for paras. 3, 4 by [Criminal Justice \(Scotland\) Act 1980 \(c. 62, SIF 39:1\)](#), [Sch. 7 para. 78\(b\)](#)

- 5 Notwithstanding anything herein contained, it shall nevertheless be competent, in any case in which no such application has been made and disposed of as hereinbefore provided for, for the judge appointed to preside at the trial of the case, at any stage prior to the empanelling of the jury to make an order, if in his discretion he shall think proper so to do, that the jury for trial of the case shall be composed of men only or of women only, subject always to the condition that no such order shall be made or take effect unless there are a sufficient number of men or women (as the case may be) on the assize list and present and available to form a jury of the composition contemplated.

*Summoning of Jurors.—Citation*

- 6 (1) If, prior to the date of citation of the jurors for any diet, an order shall have been made directing that all the cases appointed for trial at such diet shall be tried by a jury or juries composed of men only, or of women only, as the case may be, the clerk

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of court may reduce the list of assize by striking out the names of the persons of the other sex from the list of assize, and it shall not be necessary to cite any of these persons as jurors.

- (2) Where no such application as is hereinbefore provided for in respect of any of the cases appointed for trial at a sitting to which any list of assize applies has been made at the first diet, the clerk of court may forthwith reduce the list of assize to such number as would fall to be cited according to former law and practice. This he shall do by striking out of the list of assize the names of men and women, in equal numbers so far as may be, commencing with the names lowest on the list returned for each district, and only the assizers whose names remain on the list when so reduced shall be cited. Provided, however, that if intimation shall have been given of any special defence which shall appear to the clerk of court to be of such a nature as to involve enquiry into an issue which may be suited for trial before a jury of persons of one sex only, he shall, before proceeding to reduce the list of assize take the instructions of a judge competent to try the case.
- (3) Where applications have been made at the first diet as hereinbefore provided for in any cases appointed for trial at any such sitting and these applications shall all have been dealt with and refused prior to the date of citation of the jury, the clerk of court shall, upon the refusal of said applications, proceed as provided in the preceding subparagraph.
- (4) In all other cases (subject to the provisions of section 97 of this Act as to summoning only so many jurors as may be necessary), the persons whose names appear on the list of assize shall be summoned, men and women equally.
- (5) Where, owing to change of circumstances, by reason of the withdrawal of charges or otherwise, after the citation of jurors the conditions are found to be such that if they had existed prior to the citation the provisions of subparagraphs (1), (2) or (3) of this paragraph would have been applicable, the clerk of court may thereupon, notwithstanding citation, proceed to reduce the list of assize as in these subparagraphs provided for, and to countermand the citations of those jurors whose names are struck out of the list when reduced.
- (6) In this paragraph “clerk of court” shall mean and include the clerk of court of the second diet, and in cases in which the second diet is before a sheriff, the sheriff-clerk of the district of the court of the second diet, and in any case falling to be tried in the High Court, the Clerk of Justiciary.
- (7) Jurors whose names are struck out in reducing the list of assize, or whose citations are countermanded as above provided for shall be liable to future service as jurors as if their names had not been included in the particular list of assize.

#### *Selection of Jurors from the Panel*

- 7 (1) Where any case shall be remitted to an assize in which an order shall have been made as aforesaid that it shall be tried before a jury composed of men only or of women only, then in balloting for the jury in that case there shall be placed in the box or glass used for containing the slips of the names of jurors (as provided in section 129 of this Act) the slips containing the names of all the jurors who have been summoned; but in balloting for the jury, persons whose names shall be drawn who are not of the sex of which the jury has been directed to be composed, shall be passed over and not

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called on to serve on that particular jury; but the jury shall consist of the 15 persons of the sex of which it has been ordered to be composed whose names shall be first drawn and who shall not be successfully challenged. The slips containing the names of persons passed over under this provision shall be laid aside and returned to the ballot glass before another jury is balloted for.

- (2) Where no order such as is mentioned in the preceding subparagraph shall have been made, then the names of all the persons appearing on the list of assize and summoned to attend shall be placed in the box or glass irrespective of whether they are men or women; and the ballot shall be carried through according to the method presently in use without distinguishing between men and women.

### *Exemptions*

- 8 Any woman summoned to serve on a jury shall be entitled to apply to be exempted from service on account of pregnancy or other feminine condition or ailment, subject to the following conditions:—
- (a) Application for exemption shall be made by her to the clerk of the court in which the second diet is to be called, or in any case in the High Court to the Clerk of Justiciary, as soon as may be after receipt of the citation, and unless on special cause shown not later than the third day before the date of said diet, and the same shall be supported by evidence (by a medical certificate or otherwise) vouching to the satisfaction of the said clerk that the applicant is or will be, by reason of pregnancy or some other feminine condition or ailment, unfit to attend and serve as a juror at the trial.
  - (b) Applications duly made as herein provided for shall be dealt with by the said clerk, who shall have power to dispose of them after such consultation with a judge competent to try the case as he may think necessary. Intimation of the granting or refusal of the application shall be made to the applicant by the clerk.
  - (c) Any such juror whose application for exemption is granted shall as regards liability for future jury service be in the same position as if she had not been included in the list of the assize on which she is exempted from serving.
- 9 Every citation upon a woman to attend as a juror shall contain a notification as nearly as may be in terms of the appropriate form contained in an Act of Adjournal under this Act.
- 10 Nothing herein contained shall prejudice—
- (a) the right of the judge presiding at any trial at any time before the jury is empanelled to grant exemption in his discretion to a woman from serving as a juror in any case in respect of any of the reasons provided for in section 100 of this Act; nor
  - (b) any power presently exercised by any clerk of court or the Clerk of Justiciary, or by any judge presiding at a trial, to excuse at any time any person summoned to attend as a juror from attendance.

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## F9F9 SCHEDULE 4

### Textual Amendments

F9 Sch. 4 repealed by [Criminal Justice \(Scotland\) Act 1980 \(c. 62, SIF 39:1\)](#), [Sch. 8](#)

F9

## SCHEDULE 5

### DISCHARGE AND AMENDMENT OF PROBATION ORDERS

#### *Discharge*

- 1 A probation order may on the application of the officer supervising the probationer or of the probationer be discharged—
- (a) by the appropriate court, or
  - (b) if no appropriate court has been named in the original or in any amending order, by the court which made the order.

#### *Amendment*

- 2 (1) If the court by which a probation order was made, or the appropriate court is satisfied that the probationer proposes to change or has changed his residence from the area of a local authority named in the order to another area of a local authority, the court may, and if application is made in that behalf by the officer supervising the probationer shall, by order, amend the probation order by—
- (a) substituting for the area named therein that other area, and
  - (b) naming the appropriate court to which all the powers of the court by which the order was made shall be transferred and shall require the local authority for that other area to arrange for the probationer to be under the supervision of an officer of that authority.
- (2) The court to be named as the appropriate court in any amendment of a probation order in pursuance of the last foregoing subparagraph shall be a court exercising jurisdiction in the place where the probationer resides or is to reside and shall be a sheriff court or district court according to whether the probation order was made by a sheriff court or district court:

Provided that—

- (i) if there is no district court exercising jurisdiction in the said place the court to be so named shall be the sheriff court; and
- (ii) if the probation order contains requirements which in the opinion of the court cannot be complied with unless the probationer continues to reside in the local authority area named in the order, the court shall not amend the order as aforesaid, unless in accordance with the following provisions of this Schedule, it cancels those requirements or substitutes therefor other requirements which can be so complied with.

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- (3) Where a probation order is amended under this paragraph, the clerk of the court amending it shall send to the clerk of the appropriate court four copies of the order together with such documents and information relating to the case as the court amending the order considers likely to be of assistance to the appropriate court, and the clerk of that court shall send one copy of the probation order to the local authority of the substituted local authority area and two copies to the officer supervising the probationer one of which the supervising officer shall give to the probationer.
- (4) The foregoing provisions of this paragraph shall, in a case where the probation order was made by the High Court, have effect subject to the following modifications—
- (a) the court shall not name an appropriate court, but may substitute for the local authority named in the order, the local authority for the area in which the probationer is to reside;
  - (b) the Clerk of Justiciary shall send to the director of social work of that area in which the probationer is to reside three copies of the amending order together with such documents and information relating to the case as is likely to be of assistance to the director, and the director shall send two copies of the amending order to the officer supervising the probationer, one of which the supervising officer shall give to the probationer.
- 3 Without prejudice to the provisions of the last foregoing paragraph, the court by which a probation order was made or the appropriate court may, upon application made by the officer supervising the probationer or by the probationer, by order amend a probation order by cancelling any of the requirements thereof or by inserting therein (either in addition to or in substitution for any such requirement) any requirement which could be included in the order if it were then being made by that court in accordance with the provisions of sections 183, 184, 384 and 385 of this Act:
- Provided that—
- (a) the court shall not amend a probation order by reducing the probation period, or by extending that period beyond the end of three years from the date of the original order;
  - (b) the court shall not so amend a probation order that the probationer is thereby required to reside in any institution or place, or to submit to treatment for his mental condition, for any period or periods exceeding 12 months in all;
  - (c) the court shall not amend a probation order by inserting therein a requirement that the probationer shall submit to treatment for his mental condition unless the amending order is made within three months after the date of the original order.
- 4 Where the medical practitioner by whom or under whose direction a probationer is being treated for his mental condition in pursuance of any requirement of the probation order is of opinion—
- (a) that the treatment of the probationer should be continued beyond the period specified in that behalf in the order; or
  - (b) that the probationer needs <sup>F10</sup>a different kind of treatment (whether in whole or in part) from that which he has been receiving in pursuance of the probation order, being treatment of a kind which could have been specified in the probation order but to which the probationer or his supervising officer

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has not agreed under subsection (5B) of section 184 or, as the case may be, 385 of this Act]; or

- (c) that the probationer is not susceptible to treatment; or
- (d) that the probationer does not require further treatment,

or where the practitioner is for any reason unwilling to continue to treat or direct the treatment of the probationer, he shall make a report in writing to the effect to the officer supervising the probationer and the supervising officer shall apply to the court which made the order or to the appropriate court for the variation or cancellation of the requirement.

#### Textual Amendments

- F10** Words from “needs” to the end of para. 4(b) substituted by virtue of [Mental Health \(Amendment\) \(Scotland\) Act 1983 \(c. 39\), s. 36\(4\)](#) and [Mental Health \(Scotland\) Act 1984 \(c. 36, SIF 85\), s. 126\(2\)\(b\)](#)

#### *General*

- 5 Where the court which made the order or the appropriate court proposes to amend a probation order under this Schedule, otherwise than on the application of the probationer, it shall cite him to appear before the court; and the court shall not amend the probation order unless the probationer expresses his willingness to comply with the requirements of the order as amended:

Provided that this paragraph shall not apply to an order cancelling a requirement of the probation order or reducing the period of any requirement, or substituting a new area of a local authority for the area named in the probation order.

- 6 On the making of an order discharging or amending a probation order, the clerk of the court shall forthwith give copies of the discharging or amending order to the officer supervising the probationer; and the supervising officer shall give a copy to the probationer and to the person in charge of any institution in which the probationer is or was required by the order to reside.

### SCHEDULE 5A

#### SUPERVISION AND TREATMENT ORDERS

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### SCHEDULE 6

#### FINES ON INDICTMENT—PAYMENT BY INSTALMENTS

- 1 Where a court imposes a fine on a person convicted on indictment such person may apply to that court for an order for payment of the fine by instalments, and where, either at the time said fine was imposed or at any subsequent time, such an order has been made, may at any time thereafter, before imprisonment has followed on the sentence, apply to that court to vary the order.



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- 2 An application, other than one made at the time the fine was imposed, shall be made in the case of a fine imposed in the High Court to the Clerk of Justiciary, and in the sheriff court to the sheriff clerk of the court by which the fine was imposed; and such application may be accompanied by a statement in writing setting forth the reasons therefor and any proposals the applicant may have for the payment of the fine by instalments or for variation of the order for payment of the fine by instalments, as the case may be.
- 3 Where an application has been made as aforesaid, the Clerk of Justiciary or sheriff clerk, as the case may be, shall lay it before any judge or the sheriff of the court which imposed the fine, either in court or in chambers; and the said judge or sheriff may dispose of the application without requiring the attendance of the accused.
- 4 The determination of any such application shall be entered in the minutes of proceedings of the trial by the clerk of court; and where an application is made to a sheriff court which is not the court having custody of the record copy indictment and such minutes, the sheriff clerk shall obtain the same from the court having custody thereof, and shall, after the application has been disposed of, return the record copy indictment and minutes to that court.

## SCHEDULE 7

### APPLICATION OF SUMS PAID AS PART OF FINE UNDER SECTION 409 OF THIS ACT

#### Modifications etc. (not altering text)

- C1** Sch. 7 applied by [Criminal Justice \(Scotland\) Act 1987 \(c. 41, SIF 39:1\)](#), **ss. 7(2), 47(4)(a)**  
Sch. 7 extended (31.3.1996 subject to transitional provisions and savings in the commencing S.I.) by [1995 c. 20, ss. 70\(2\), 80\(2\)\(n\), 113\(1\)](#); [S.I. 1996/517](#), arts. 3(2), 4-6, **Sch. 2**

All sums paid under section 409 of this Act shall be handed over on receipt by the governor of the prison, as defined in the said section, to the clerk of the court in which the conviction was obtained, and thereafter paid and applied pro tanto in the same manner and for the same purposes as sums adjudged to be paid by the conviction and sentence of the court, and paid and recovered in terms thereof, are lawfully paid and applied.

[<sup>F12</sup>SCHEDULE 7A]

Section 289A.

### OFFENCES MADE TRIABLE ONLY SUMMARILY, AND RELATED AMENDMENTS

#### Textual Amendments

- F12** Sch. 7A inserted by [Criminal Law Act 1977 \(c. 45, SIF 39:1\)](#), **Sch. 11 para. 11**

#### Modifications etc. (not altering text)

- C2** [Schedule 7A](#) saved retrospectively by [Criminal Justice Act 1982 \(c. 48, SIF 39:1\)](#), **s. 56**

1Offence

2Enactment

3Amendment

4Old penallties

5New penalties

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### Night Poaching Act 1828 (c. 69)

1. Offences under section 1 (taking or destroying game or rabbits by night or entering land for that purpose).	Section 1.	For the words from “such offender” onwards substitute “he shall be liable on summary conviction to a fine not exceeding [ <sup>F13</sup> level 3 on the standard scale]”.	<p>(a) for a first offence, on summary conviction, 3 months or £100 and, in default of finding sureties of £10, a further 6 months;</p> <p>(b) for a second offence, on summary conviction, 6 months or £100 and, in default of finding sureties of £20, a further 12 months;</p> <p>(c) for a third offence, on conviction on indictment, 2 years or a fine or both. [<sup>F13</sup>level 3 on the standard scale].</p>
2. . . . <sup>F14</sup>			

### Public Meeting Act 1908 (c. 66)

3. Offences under section 1(1) (endeavouring to break up a public meeting).	Section 1(1).	After “offence” add “and shall on summary conviction be liable to imprisonment for a term not exceeding six months or to a fine not exceeding [ <sup>F13</sup> level 5 on the standard scale] or to both”.	<p>(a) on summary conviction 3 months or £100 or both;</p> <p>(b) on conviction on indictment 12 months or £500 or both. [<sup>F13</sup>level 5 on the standard scale] or both.</p>
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### Public Order Act 1936 (1 Edw. 8 & 1 Geo. 6.) (c. 6)

4. Offences under section 5	Section 5 (as substituted by	After “offence” add “and shall	(a) on summary conviction 3 months or £100 or both;
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(conduct conducive to breaches of the peace).	section 7 of the Race Relations Act 1965).	on summary conviction be liable to imprisonment for a term not exceeding six months or to a fine not exceeding [ <sup>F13</sup> level 5 on the standard scale] or to both”.	
			(b) on conviction on indictment 12 months or £500 or both. [ <sup>F13</sup> level 5 on the standard scale] or both.
[ <sup>F15</sup> Water (Scotland) Act 1946 (c. 42)]			
5. Offences under section 4(7) (failure to comply with obligations in relation to the obtaining of information as to underground water).	Section 4(7).	After “Act” add “and shall on summary conviction be liable to a fine not exceeding [ <sup>F13</sup> level 3 on the standard scale] and, where the offence continues after conviction, to a further fine of £20 for every day during which it so continues”.	(a) on summary conviction £50 and, where the offence continues a daily fine of £5;
			(b) on conviction on indictment, £200 or 3 months imprisonment or both, and where the offence continues, a daily fine of £20. [ <sup>F13</sup> level 3 on the standard scale] and, where the offence continues, a daily fine of £20.
6. . . . <sup>F16</sup>			
Post Office Act 1953 (c. 36)			
7. Offences under section 56 (criminal diversion of	Section 56(1).	For the words from “guilty” onwards substitute “liable	£50 or 6 months. [ <sup>F13</sup> level 4 on the standard scale]

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letters from addressee).	on summary conviction to a fine not exceeding [ <sup>F13</sup> level 4 on the standard scale] or to imprisonment for a term not exceeding six months or to both”.	or 6 months or both.
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8—10. . . .  
F17

11—13. . . .  
F18

Betting Gaming and Lotteries Act 1963 (c. 2)

14. Offences under the following provisions—

section 7 (restriction of betting on dog racecourses);

Section 10(5) (advertising licensed betting offices);

section 11(6) (person holding bookmaker’s or betting agency permit employing a person disqualified from holding such a permit);

section 18(2) (making unauthorised charges to bookmakers on licensed track);

section 19 (occupiers of licensed tracks not to have any interest in bookmaking thereon);

section 21 (betting with young persons);

section 22 (betting circulars not to be sent to young persons).	Section 52.	For paragraphs (a) and (b) of subsection (2) (penalties for certain offences)	(a) on summary conviction £50 or, on a second or subsequent conviction, 2 months or £100 or both;
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substitute  
“on summary  
conviction  
to a fine not  
exceeding  
[<sup>F13</sup>level 5 on  
the standard  
scale] or to  
imprisonment  
for a term not  
exceeding six  
months or to  
both”.

(b) on conviction [ <sup>F13</sup>level 5 on the  
on indictment standard scale]  
£300 or, on

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a second or subsequent conviction, 6 months or £500 or both. or 6 months or both.

Theatres Act 1968 (c. 54)

15. Offences under section 6 (provocation of breach of the peace by means of public performance of play).

Section 6(2).

For paragraphs (a) and (b) substitute “on summary conviction to a fine not exceeding [<sup>F13</sup>level 5 on the standard scale] or to imprisonment for a term not exceeding six months or to both”.

(a) on summary conviction 3 months or £100 or both;

(b) on conviction on indictment 12 months or £500 or both. 6 months or [<sup>F13</sup>level 5 on the standard scale] or both.

Road Traffic Act 1972 (c. 20)

16. Offences under the following provisions—

In Part I of Schedule 4 (as amended by Part IV of Schedule 5 to the Road Traffic Act 1974)—

Section 5(1) (driving or attempting to drive when unfit to drive through drink or drugs);

the entry relating to section 5(1);

for the words in column 3 substitute “Summarily” and for the words in column 4 substitute “6 months or [<sup>F13</sup>level 5 on the standard scale] or both”;

(a) on summary conviction £400 or 4 months;

(b) on conviction on indictment 2 years or a fine or both; 6 months or [<sup>F13</sup>level 5 on the standard scale] or both;

Section 5(2) (being in charge of a motor

the entry relating to section 5(2);

for the words in column 3 substitute

(a) on summary conviction £200;

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vehicle when unfit to drive through drink or drugs);		“Summarily” and for the words in column 4 substitute “3 months or [F13]level 4 on the standard scale] or both”;	(b) on conviction 3 months or on indictment 12 [F13]level 4 on the months or a fine standard scale] or both; or both;
Section 6(1) (driving or attempting to drive with blood-alcohol concentration above the prescribed limit);	the entry relating to section 6(1);	for the words in column 3 substitute “Summarily” and for the words in column 4 substitute “6 months or [F13]level 5 on the standard scale] or both”;	(a) on summary conviction £400 or 4 months;  (b) on conviction 6 months or on indictment 2 [F13]level 5 on the years or a fine or standard scale] both; or both;
Section 6(2) (being in charge of a motor vehicle with blood-alcohol concentration above the prescribed limit);	the entry relating to section 6(2);	for the words in column 3 substitute “Summarily” and for the words in column 4 substitute “3 months or [F13]level 5 on the standard scale] or both”;	(a) on summary conviction £200;  (b) on conviction 3 months or on indictment 12 [F13]level 4 on the months or a fine standard scale] or both; or both;
Section 9(3) (failing to provide a specimen of blood or urine for a laboratory test).	the entry relating to section 9(3).	for the words in column 3 substitute “Summarily” and in column 4, in paragraph (i) for the words	(a) on summary conviction—

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“£400” substitute  
“6 months or  
[<sup>F13</sup>level 5 on the  
standard scale]  
or both” and  
for the words  
from “£200” in  
paragraph (ii)  
to the end of  
paragraph (iv)  
substitute “3  
months or  
[<sup>F13</sup>level 4 on the  
standard scale]  
or both”.

(i) where it is shown that the offender was driving or attempting to drive, £400;

(ii) where in any other case it is shown that the offender was in charge of a motor vehicle on a road or other public place, £200;

(b) on conviction on indictment—

(i) 2 years or a fine or both in the case of a conviction where it is shown as mentioned in paragraph (a)(i) above;

(ii) 12 months or a fine or both in the case of a conviction where it is shown as mentioned in paragraph (a)(ii) above.

(a) where it is shown that the offender was driving or attempting to drive, 6 months or [<sup>F13</sup>level 5 on the standard scale] or both;

(b) where in any other case it is shown that the offender was in charge of a motor vehicle on a road or other public place, 3 months or [<sup>F13</sup>level 4 on the standard scale], or both.

Health and Safety at Work etc. Act 1974 (c. 37)

17. Offences under section 33(5) (continuing contravention

Section 33(5).

For the words from “liable” to “£50” substitute “liable on summary

£50 for each day on which the contravention continues.

£100 for each day on which the contravention continues.

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of improvement  
notice,  
prohibition  
notice or court  
order).

conviction  
to a fine not  
exceeding £100”.

Sexual Offences (Scotland) Act 1976 (c. 67)

18. Offences under section 14(1) (allowing child under 16 to be in brothel).

Section 14(1).

For the words from “liable” to “£25” substitute “liable on summary conviction to a fine not exceeding [F13]level 2 on the standard scale]”.

(a) on summary conviction 6 months or £25 or both;

(b) on conviction on indictment 6 months or £25 or both. [F13]level 2 on the standard scale] or both.

#### Textual Amendments

- F13** Words substituted by virtue of [Criminal Procedure \(Scotland\) 1975 \(c. 21, SIF 39:1\)](#), **s. 289G**
- F14** [Sch. 7A para. 2](#) repealed by [Wages Act 1986 \(c. 48, SIF 43:2\)](#), ss. 32(2), 33(5), **Sch. 5, Pt. III**
- F15** Provisions no longer applicable (by reason of the repeal of [Water \(Scotland\) Act 1946 \(c. 42\)](#) by [Water \(Scotland\) Act 1980 \(c. 45, SIF 130\)](#), **Sch. 11**
- F16** Item 6 repealed by [Representation of the People Act 1983 \(c. 2, SIF 42\)](#), **Sch. 9 Pt. II**
- F17** [Paras. 8–10](#) repealed by [Dentists Act 1984 \(c. 24, SIF 83:1\)](#), **Sch. 6 Pt. I**
- F18** [Sch. 7A paras. 11–13](#) repealed by [Opticians Act 1989 \(c. 44, SIF 83:1\)](#), s. 37, **Sch. 2**

## [F19]SCHEDULE 7B]

### ALTERATION OF PENALTIES ON SUMMARY CONVICTION OF CERTAIN OFFENCES

#### Textual Amendments

- F19** [Sch. 7B](#) inserted by [Criminal Law Act 1977 \(c. 45, SIF 39:1\)](#), **Sch. 11 para. 12**

#### Modifications etc. (not altering text)

- C3** [Schedule 7B](#) saved retrospectively by [Criminal Justice Act 1982 \(c. 48, SIF 39:1\)](#), **s. 56**

1 (1) The <sup>M4</sup>Misuse of Drugs Act 1971 shall be amended as follows—

- (a) . . . <sup>F20</sup>
- (b) in the entries in Schedule 4 showing the punishment that may be imposed on persons summarily convicted of offences mentioned in subparagraph (2)(b)



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- below, for “6 months or £200, or both” there shall be substituted “3 months or [F21]level 4 on the standard scale] or both”; and
- (c) in the entry in Schedule 4 relating to section 5(2)—
- (i) for “6 months or £400, or both” (being the maximum punishment on summary conviction of an offence under that section where a Class B drug was involved) there shall be substituted “3 months or [F21]level 4 on the standard scale], or both”; and
- (ii) for “6 months or £200, or both” (being the maximum punishment on summary conviction of such an offence where a Class C drug was involved) there shall be substituted “3 months or [F21]level 3 on the standard scale], or both”.
- (2) The offences to which (as provided in section 289B(7) above) section 289B(1) above does not apply are—
- (a) offences under section 5(2) of the Misuse of Drugs Act 1971 (having possession of a controlled drug) where the controlled drug in relation to which the offence was committed was a Class B or Class C drug;
- (b) offences under the following provisions of that Act, where the controlled drug in relation to which the offence was committed was a Class C drug, namely—
- (i) section 4(2) (production, or being concerned in the production, of a controlled drug);
- (ii) section 4(3) (supplying or offering a controlled drug or being concerned in the doing of either activity by another);
- (iii) section 5(3) (having possession of a controlled drug with intent to supply it to another);
- (iv) section 8 (being the occupier, or concerned in the management, of premises and permitting or suffering certain activities to take place there);
- (v) section 12(6) (contravention of direction prohibiting practitioner etc. from possessing, supplying etc. controlled drugs); or
- (vi) section 13(3) (contravention of direction prohibiting practitioner etc. from prescribing, supplying etc. controlled drugs);
- (c) . . . F22
- (3) In this paragraph “controlled drug”, “Class B drug” and “Class C drug” have the same meaning as in the <sup>M5</sup>Misuse of Drugs Act 1971.

#### Textual Amendments

**F20** Para. 1(1)(a) repealed by [Criminal Justice \(Scotland\) Act 1980 \(c. 62, SIF 39:1\)](#), [Sch. 8](#)

**F21** Words substituted by virtue of (E.W.) [Criminal Justice Act 1982 \(c. 48, SIF 39:1\)](#), [s. 46](#), (S.) [Criminal Procedure \(Scotland\) Act 1975 \(c. 21, SIF 39:1\)](#), [s. 289G](#) and (N.I.) 1984/703, (N.I. 13), art. 5

**F22** Para. 1(2)(c) repealed by [Criminal Justice \(Scotland\) Act 1980 \(c. 62, SIF 39:1\)](#), [Sch. 8](#)

#### Marginal Citations

**M4** 1971 c. 38(84).

**M5** 1971 c. 38(84).

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- 2 In Schedule 4 to the <sup>M6</sup>Road Traffic Act 1972 (prosecution and punishment of offences), in the entries relating to section 2 (reckless driving) and section 99(b) (driving while disqualified), for the punishment specified in column 4 in relation to an offence punishable summarily there shall in each case be substituted the words “6 months or the prescribed sum (within the meaning of section 28 of the <sup>M7</sup>Criminal Law Act 1977 or, in Scotland, of section 289B of the <sup>M8</sup>Criminal Procedure (Scotland) Act 1975) or both.”

**Marginal Citations**

- M6** 1972 c. 20(107:1).  
**M7** 1977 c. 45(39:1)  
**M8** 1975 c. 21(39:1).

[<sup>F23</sup>SCHEDULE 7C]

Section 289C.

INCREASE OF FINES FOR CERTAIN SUMMARY OFFENCES

**Textual Amendments**

- F23** Sch. 7C inserted by [Criminal Law Act 1977 \(c. 45, SIF 39:1\)](#), [Sch. 11 para. 13](#)

**Modifications etc. (not altering text)**

- C4** [Schedule 7C](#) saved retrospectively by [Criminal Justice Act 1982 \(c. 48, SIF 39:1\)](#), [s. 56](#)

**1Enactment  
creating offence**

**2Penalty enactment**

...  
**F24**

Protection of Animals (Scotland) Act 1912 (c. 14)

Offences under section 1(1) (inflicting of unnecessary suffering on, and cruelty to, animals).	Section 1(1) (as amended by section 3 of the Protection of Animals (Amendment) Act 1954.)	£50.	[ <sup>F25</sup> level 4 on the standard scale].
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Protection of Animals Act 1934 (c. 21)

Offences under section 1(1) (prohibition of certain public contests, performances and exhibitions with horses or bulls).	Section 2.	£100.	[ <sup>F25</sup> level 4 on the standard scale].
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Public Order Act 1936 (1 Edw. 8. & 1 Geo. 6.) (c. 6)

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Offences under the following provisions—

section 1(1) (wearing uniform signifying association with political organisation);

section 3(4) (knowingly failing to comply with conditions as regards processions);

section 4(1) (possession of offensive weapon at public meeting).	Section 7(2).	£50.	[ <sup>F25</sup> level 4 on the standard scale].
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Children and Young Persons (Scotland) Act 1937 (c. 37)

Offences under section 46(2) (publication of matters identifying juveniles in court proceedings).	Section 46(2).	£50.	[ <sup>F25</sup> level 4 on the standard scale].
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Cinematograph Films (Animals) Act 1937 (c. 59)

Offences under section 1(1) (prohibition of films in production of which suffering has been caused to animals).	Section 1(3).	£100.	[ <sup>F25</sup> level 3 on the standard scale].
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Architects Registration Act 1938 (c. 54)

Offences under section 1 (unregistered persons using title of architect).	Section 3.	£50.	[ <sup>F25</sup> level 4 on the standard scale].
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Nursing Homes Registration (Scotland) Act 1938 (c. 73)

Any offence under the Act for which no express penalty is provided, except an offence under section 1(4).	Section 8 (as amended by Schedule 3 to the Criminal Justice Act 1967).	£20.	[ <sup>F25</sup> level 4 on the standard scale].
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[<sup>F26</sup>Water (Scotland) Act 1946 (c. 42)]

Offences under section 59(3) (contravention of prohibition or restriction on use of hosepipes).	Section 59(3).	£5.	£200.
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Any offence consisting in a contravention of	Section 30(1) of Schedule 4.	£5.	£200.
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section 30(1) of  
Schedule 4 (wasting  
water by non-repair  
of pipes etc.).

Any offence consisting in a contravention of section 33 of Schedule 4 (causing the supply of water to be interfered with).	Section 33 of Schedule 4.	£5.	£200.
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Fire Services Act 1947 (c. 41)

Offences under section 31(1) (giving false fire alarm).	Section 31(1) (as amended by Schedule 3 to the Criminal Justice Act 1967).	£50.	[ <sup>F25</sup> level 4 on the standard scale].
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National Assistance Act 1948 (c. 29)

Offences under section 55(2) (obstruction).	Section 55(2) (as amended by Schedule 3 to the Criminal Justice Act 1967).	£10 for a first offence and £20 for a second or subsequent offence.	[ <sup>F25</sup> level 4 on the standard scale].
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Agriculture (Scotland) Act 1948 (c. 45)

Offences under section 50(1) (prohibition of night shooting and use of spring traps).	Section 50(2).	£20 for a first offence and £50 for a second or subsequent offence.	[ <sup>F25</sup> level 3 on the standard scale].
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Offences under section 50A(1) (open trapping of hares and rabbits).	Section 50A(2).	£20 for a first offence and £50 for a second or subsequent offence.	[ <sup>F25</sup> level 3 on the standard scale].
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...  
F27

Docking and Nicking of Horses Act 1949 (c. 70)

Offences under section 1(1) (prohibition of docking or nicking horses).	Section 1(3).	£25.	[ <sup>F25</sup> level 3 on the standard scale].
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Offences under section 2(3) (offences in connection with importation of docked horses).	Section 2(3).	£25.	[ <sup>F25</sup> level 3 on the standard scale].
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Offences under section 2(4) (making a false statement).	Section 2(4).	£25.	[ <sup>F25</sup> level 3 on the standard scale].
...			
F28			
...			
F28			
Cockfighting Act 1952 (c. 59)			
Offences under section 1(1) (possession of appliances for use in fighting of domestic fowl).	Section 1(1).	£25.	[ <sup>F25</sup> level 3 on the standard scale].
Dogs (Protection of Livestock) Act 1953 (c. 28)			
Offences under section 1(1) (owning or keeping a dog which worries livestock).	Section 1(6) (as amended by Schedule 3 to the Criminal Justice Act 1967).	£20 for a first offence and £50 for a second or subsequent offence in respect of the same dog.	[ <sup>F25</sup> level 3 on the standard scale].
...			
F29			
Pests Act 1954 (c. 68)			
Offences under section 12 (spreading of myxomatosis).	Section 12.	£20 for a first offence and £50 for a second or subsequent offence.	[ <sup>F25</sup> level 3 on the standard scale].
Animals (Cruel Poisons) Act 1962 (c. 26)			
Offences under section 1 (offences in connection with use of prohibited poison for destroying animals).	Section 1.	£50.	[ <sup>F25</sup> level 3 on the standard scale].
...			
F30			
...			
F31			
Police (Scotland) Act 1967 (c. 77)			
Offences under section 41(1) (assaults on constables etc.), where the offender	Section 41(1).	£50.	[ <sup>F25</sup> level 4 on the standard scale].

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has not, within the period of two years immediately preceding the offence, been convicted of an offence against the section.

Sea Fisheries (Shellfish) Act 1967 (c. 83)

Offences under section 7(4) (using prohibited fishing implements etc. in an area of fishery or oyster bed to which section applies).	Section 7(4).	£2 for a first offence, £5 for a second offence and £10 for a third or subsequent offence.	[ <sup>F25</sup> level 3 on the standard scale].
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Abortion Act 1967 (c. 87)

Offences under section 2(3) (contravening or failing to comply with regulations as to notification).	Section 2(3).	£100.	[ <sup>F25</sup> level 5 on the standard scale].
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Agriculture (Miscellaneous Provisions) Act 1968 (c. 34)

Offences under the following provisions—

section 1(1) (prevention of unnecessary pain and distress to livestock);

section 2(2) (breach of regulations with respect to welfare of livestock).	Section 7(1).	£100 for a first offence and £200 for a second or subsequent offence.	[ <sup>F25</sup> level 4 on the standard scale].
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Social Work (Scotland) Act 1968 (c. 49)

Offences under section 6(5) (obstructing officer in exercise of power under section 6).	Section 6(5).	£10 for a first offence and £50 for a second or subsequent offence.	[ <sup>F25</sup> level 4 on the standard scale].
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Offences under section 60(3) (failure to comply with regulation etc. in respect of the control of residential and other establishments).	Section 60(3).	£50.	[ <sup>F25</sup> level 4 on the standard scale].
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Offences under section 61(3) (carrying on establishment without registration).	Section 61(3).	£50 for a first offence and £100 for a second or subsequent offence.	[ <sup>F25</sup> level 4 on the standard scale].
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Offences under section 62(6) (failure to comply with a condition of the registration of an establishment).	Section 62(6).	£50 for a first offence and £100 for a second or subsequent offence.	[ <sup>F25</sup> level 4 on the standard scale].
Offences under section 65(4) (obstructing officer in exercise of power under section 65).	Section 65(4).	£10 for a first offence and £50 for a second or subsequent offence.	[ <sup>F25</sup> level 4 on the standard scale].
Gaming Act 1968 (c. 65)			
Offences under section 8(5) (gaming in a street or public place).	Section 8(5).	£50.	[ <sup>F25</sup> level 4 on the standard scale].
Employers' Liability (Compulsory Insurance) Act 1969 (c. 57)			
Offences under section 4(3) (offences in relation to certificates of insurance).	Section 4(3).	£50.	[ <sup>F25</sup> level 3 on the standard scale].
Offences under section 5 (employer failing to insure employee).	Section 5.	£200.	[ <sup>F25</sup> level 4 on the standard scale].
Conservation of Seals Act 1970 (c. 30)			
Any offence under the Act, except an offence under section 11(7).	Section 5(2).	£50 for a first offence and £100 for a second or subsequent offence.	[ <sup>F25</sup> level 4 on the standard scale].
Misuse of Drugs Act 1971 (c. 38)			
Offences under section 17(3) (failure to comply with notice requiring information relating to prescribing supplying etc. of drugs).	Schedule 4.	£100.	[ <sup>F25</sup> level 3 on the standard scale].
Road Traffic Act 1972 (c. 20)			
Offences under section 3 (careless, and inconsiderate, driving).	Part I of Schedule 4 (as amended by Part III of Schedule 5 to the Road Traffic Act 1974).	£200.	[ <sup>F25</sup> level 4 on the standard scale].
Poisons Act 1972 (c. 66)			

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Any offence under section 8(1) (contravention of provisions of sections 1 to 7, other than section 6(4), or of the Poisons Rules).	Section 8(1).	£50.	[ <sup>F25</sup> level 4 on the standard scale].
Offences under section 6(4) (using title etc. falsely to suggest entitlement to sell poison).	Section 6(4).	£20.	[ <sup>F25</sup> level 2 on the standard scale].
Offences under section 9(8) (obstructing an inspector etc.).	Section 9(8).	£5.	[ <sup>F25</sup> level 2 on the standard scale].
Health and Safety at Work Etc. Act 1974 (c. 37)			
Offences under the following provisions—			
section 33(1)(d) (contravening requirement imposed by or under section 14 or obstructing any person in exercise of his powers under section 14);			
section 33(1)(e) (contravening requirement imposed by inspector) where the requirement contravened was imposed under section 20;			
section 33(1)(f) (preventing etc. any other person from appearing before inspector);			
section 33(1)(h) (intentionally obstructing an inspector);			
section 33(1)(n) (falsely pretending to be an inspector).	Section 33(2).	£400.	[ <sup>F25</sup> level 5 on the standard scale].
Control of Pollution Act 1974 (c. 40)			
Offences under section 78(1) (burning insulation from a cable).	Section 78(2) (as substituted by the Clean Air Enactments (Repeals and Modifications) Regulations 1974).	£400.	[ <sup>F25</sup> level 5 on the standard scale].
[ <sup>F32</sup> Criminal Procedure (Scotland) Act 1975 (c. 21)]			
Offences under section 169(2) (publishing any matter in contravention of a direction by the court under section 169(1)).	Section 169(2).	£50.	£500.
Offences under section 365(2) (publishing	Section 365(2).	£50.	£500.



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any matter in  
contravention of a  
direction by the court  
under section 365(1).

Offences under section 374(4) (publishing any matter in contravention of section 374).	Section 374(4).	£50.	£500.
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...  
F29

Salmon and Freshwater Fisheries Act 1975 (c. 51)

Offences against any provision of the Act not specified in the Table in Part I of Schedule 4.

Paragraph 1(2) of Schedule 4.	£50 for a first offence and £100 for a second or subsequent offence.	[ <sup>F25</sup> level 4 on the standard scale].
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Offences under section 1 (fishing with certain instruments for salmon, trout or freshwater fish and possessing certain instruments for fishing for such fish) if not acting with another.

The Table in Part I of Schedule 4.	£50 for a first offence and £100 for a second or subsequent offence.	[ <sup>F25</sup> level 4 on the standard scale].
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Offences under section 19(2) (fishing for salmon during the annual close season or weekly close time).

The said Table.	£100 for a first offence and £200 for a second or subsequent offence.	[ <sup>F25</sup> level 4 on the standard scale].
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Offences under section 19(4) (fishing for trout during the annual close season or weekly close time).

The said Table.	£100 for a first offence and £200 for a second or subsequent offence.	[ <sup>F25</sup> level 4 on the standard scale].
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Offences under section 19(6) (fishing for freshwater fish during the annual close season for freshwater fish and fishing for eels by means of a rod and line during that season).

The said Table.	£100 for a first offence and £200 for a second or subsequent offence.	[ <sup>F25</sup> level 4 on the standard scale].
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Offences under section 19(7) (fishing for rainbow trout during the annual close season for rainbow trout and fishing for eels by means of a rod and line during that season).



*Status: Point in time view as at 01/10/1993.*

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[<sup>F33</sup>SCHEDULE 7D]

FINES TO BE ALTERED OTHER THAN IN ACCORDANCE WITH SECTIONS 289E AND 289F

**Textual Amendments**

**F33** Sch. 7D inserted by Criminal Justice Act 1982 (c. 48, SIF 39:1), s. 56(2), Sch. 6

**Modifications etc. (not altering text)**

**C5** Paragraph 4 of Sch. 7D was expressed to be repealed by Cinematograph (Amendment) Act 1982 (c. 33, SIF 45A), Sch. 2 but by Law Reform (Miscellaneous Provisions) (Scotland) Act 1985 (c. 73, SIF 39), Sch. 2 para. 25 it was provided that the entry in Cinematograph (Amendment) Act 1982 (c. 33, SIF 45A), Sch. 2 relating to paragraph 4 of Sch. 7D to the Criminal Procedure (Scotland) Act 1975 should be treated as never having been enacted.

**1** *Enactment  
creating offence*

**2** *Penalty enactment*

...  
F34

Sea Fisheries (Scotland) Amendment Act 1885 (c. 70)

2. Section 4  
(contravention of  
byelaws prohibiting  
or regulating  
trawling).

For “£100, or in the  
case of a second  
or subsequent  
conviction,”  
substitute “level 5 on  
the standard scale or”,  
and omit “or a fine  
not exceeding £200”.

(a) for a first offence,  
£100 and forfeiture of  
fishing gear used in  
offence;

(b) for a second or  
subsequent offence,  
£200 or 3 months or  
both and forfeiture of  
fishing gear used in  
offence.

Military Lands Act 1892 (c. 43)

3. Section 17(2)  
(offences against  
byelaws).

For “five pounds”  
substitute “level 2 on  
the standard scale”.

£20.

£50.

Protection of Animals (Scotland) Act 1912 (c. 14)

4. Section 7 (selling  
poisoned grain or  
placing on any land  
any matter rendered  
poisonous).

For “ten pounds”  
substitute “level 4 on  
the standard scale”.

£25.

£500.

Land Drainage (Scotland) Act 1930 (c. 20)

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5. Section 4 (obstruction of person exercising power of entry).	For “twenty pounds” substitute “level 3 on the standard scale”.	£50.	£200.
Illegal Trawling (Scotland) Act 1934 (c. 18)			
6. Section 1(1) (illegal trawling).	For paragraphs (a) to (c) substitute “to a fine not exceeding level 5 on the standard scale or to imprisonment for a period not exceeding 6 months or to both”.	(a) for a first offence, £100 or 3 months;	
		(b) for a second offence, £200 or 6 months;	
		(c) for a third or subsequent offence, £200 and 6 months.	£1,000 or 6 months or both.
Land Drainage (Scotland) Act 1941 (c. 13)			
7. Section 2(2) (obstruction of person exercising power of entry).	For “twenty pounds” substitute “level 3 on the standard scale”.	£50.	£200.
Public Health (Scotland) Act 1945 (c. 15)			
8. Section 1(5) (contravention of regulations as to treatment and spread of certain diseases).	For “one hundred pounds” substitute “level 5 on the standard scale”.	£100 and £50 per day during which the offence continues.	£1,000 and £50 per day during which the offence continues.
Fire Services Act 1947 (c. 41)			
9. Section 14(5) (improper use of fire hydrant).	For “ten pounds” substitute “level 2 on the standard scale”The said£25.	£50.	
10. Section 30(2) (obstructing a member of a fire brigade).	For “twenty-five pounds” substitute “level 3 on the standard scale”.	£50.	£200.
Radioactive Substances Act 1948 (c. 37)			
11. Section 8(1) (obstruction of person exercising power of entry).	For the words from “twenty pounds” to the end substitute “level 4 on the standard scale”.	(a) for a first offence, £50;	

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		(b) for a second or subsequent offence, £100.	£500.
12. Section 8(3) (other summary offences under Act).	For the words from “one hundred pounds” where first occurring to “one hundred pounds” where secondly occurring substitute “level 4 on the standard scale”.	(a) for a first offence, £100;	
		(b) for a second or subsequent offence, £100 or 3 months or both.	£500 or 3 months or both.
Rivers (Prevention of Pollution) (Scotland) Act 1951 (c. 66)			
13. Section 21 (obstruction of person exercising power of entry).	For the words from “five pounds” to the end substitute “level 3 on the standard scale”.	(a) for a first offence, £5;	
		(b) for a second or subsequent offence, £20.	£200.
Land Drainage (Scotland) Act 1958 (c. 24)			
14. Section 11(4) (obstruction of person exercising power of entry).	For the words from “five pounds” to the end substitute “level 3 on the standard scale”.	(a) for a first offence, £5;	
		(b) for a second or subsequent offence, £20.	£200.
Betting, Gaming and Lotteries Act 1963 (c. 2)			
15. Section 28(10) (disclosing information about bookmaker’s business).	For “one hundred pounds” substitute “level 4 on the standard scale”.	£100.	£500.
Plant Varieties and Seeds Act 1964 (c. 14)			
16. Section 25(9) (obstructing an authorised person).	For “twenty pounds” substitute “level 3 on the standard scale”.	£20.	£200.

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17. Section 27(1) (tampering with samples).	For “one hundred pounds” substitute “level 5 on the standard scale”.	£100 or 3 months or both.	£1,000 or 3 months or both.
Agriculture and Horticulture Act 1964 (c. 28)			
18. Section 20(1) (obstruction, etc. of authorised officer).	For “twenty pounds” substitute “level 3 on the standard scale”.	£20.	£200.
19. Section 20(2) (offences under Part III).	For the words from “one hundred pounds” to “two hundred and fifty pounds” substitute “level 5 on the standard scale”.	(a) for a first offence, £100 or 3 months or both;	(b) for a second or subsequent offence, £1,000 or 3 months or both. £250 or 3 months or both.
Industrial and Provident Societies Act 1965 (c. 12)			
20. Section 61 (general offences).	For “five pounds” substitute “level 3 on the standard scale”.	£10.	£200.
Rivers (Prevention of Pollution) (Scotland) Act 1965 (c. 13)			
21. Section 11(2) (unauthorised disclosure of information).	For the words from “one hundred pounds” to the end substitute “level 5 on the standard scale”.	£100 or 3 months or both.	£1,000.
22, 23. . . . F35			
Forestry Act 1967 (c. 10)			
24. Section 24(4) (failure to comply with felling licence).	For “£50” substitute “level 5 on the standard scale”.	£50.	£1,000.
25. Section 46(5) (offences against byelaws).	In paragraph (a) for “£10” substitute “level 2 on the standard scale”, and in paragraph (b) for “£5” substitute “level 2 on the standard scale”.	£20 and 50 pence per day during which the offence continues.	£50 and 50 pence per day during which the offence continues.
26. Section 48(3) (obstruction of	For “£5” substitute “level 3 on the standard scale”.	£20.	£200.

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Forestry Commission  
officers).

...  
F36

Police (Scotland) Act 1967 (c. 77)

36. Section 43(1) (impersonating a police officer).	For “fifty pounds” substitute “level 4 on the standard scale”.	£50 or 3 months.	£500 or 3 months.
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37. Section 44(5) (offences by constables).	For “ten pounds” substitute “level 3 on the standard scale”.	£10 or 60 days.	£200 or 60 days.
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Agriculture (Miscellaneous Provisions) Act 1968 (c. 34)

38. Section 7(2) (obstructing officer authorised to carry out welfare inspections).	For “twenty pounds” substitute “level 3 on the standard scale”.	£20.	£200.
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Sale of Venison (Scotland) Act 1968 (c. 38)

39. Section 1(4) (contravention of provisions regarding registration of venison dealers).	For “£20” substitute “level 3 on the standard scale”.	£20.	£200.
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40. Section 2(4) (failure to keep records, etc.).	For “£20” substitute “level 2 on the standard scale”.	£20.	£50.
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Sewerage (Scotland) Act 1968 (c. 47)

41. Section 44 (failure to provide information, etc.).	For “£20” substitute “level 3 on the standard scale”.	£20.	£200.
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42. Section 48(9) (obstruction of person having right of entry).	For “£20” substitute “level 3 on the standard scale”.	£20 and £5 per day during which the offence continues.	£200 and £5 per day during which the offence continues.
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43. Section 50(3) (unauthorised disclosure of information).	For the words from “£100” to the end substitute “level 5 on the standard scale”.	£100 or 3 months or both.	£1,000.
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Transport Act 1968 (c. 73)

44. Section 97(1) (tachograph offences).	For “£200” substitute “level 4 on the standard scale”.	£200.	£500.
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45. Section 97A(1) (tachograph offences).	For “£200” substitute “level 4 on the standard scale”.	£200.	£500.
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46. Section 97A(2) (failure by employer to secure compliance with section 97A(1)(a)).	For “£200” substitute “level 4 on the standard scale”.	£200.	£500.
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F37

Rent (Scotland) Act 1971 (c. 28)

48. Section 98(2) (failure to provide a rent book, etc.).	For the words from “in respect” to the end substitute “be liable to a fine not exceeding level 4 on the standard scale”.	£10 per week.	£500.
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49. Section 127(4) (failure to comply with notice requiring disclosure of name and address of landlord, etc.).	For the words “£5” substitute “level 4 on the standard scale”.	£5.	£500.
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50. Section 132(2) (failure to provide a rent book, etc.).	For the words from “in respect” where secondly occurring to the end substitute “be liable to a fine not exceeding level 4 on the standard scale”.	£10 per week.	£500.
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51. ...  
F38

Road Traffic (Foreign Vehicles) Act 1972 (c. 27)

52. Section 3(1) (disobeying prohibition on a goods vehicle).	For “£200” substitute “level 5 on the standard scale”.	£200.	£1,000.
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Education (Scotland) Act 1980 (c. 44)

53. Section 43(1) (contravention of section 35, 41 or 42).	For the words from “in the case” where first occurring to “£50” where thirdly occurring substitute “to a fine not exceeding level 3 on the standard scale”.	(a) for a first offence, £50;	
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(b) for a second offence, £50;



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		(c) for a third or subsequent offence £50 or 1 month or both.	£200 or 1 month or both.
54. Section 66(3) (obstruction of inspectors).	For the words from “£20” to “£50” substitute “level 4 on the standard scale”.	(a) for a first offence, £20;	
		(b) for a second or subsequent offence, £50 or 3 months or both.	£500 or 3 months or both.
55. Section 98(2) (failure to register independent school, etc.).	For the words from “£20” to “£50” substitute “level 4 on the standard scale”.	(a) for a first offence, £20;	
		(b) for a second or subsequent offence, £50 or 3 months or both.	£500 or 3 months or both.
56. Section 101(2) (using disqualified premises).	For the words from “£20” to “£50” substitute “level 4 on the standard scale”.	(a) for a first offence, £20;	
		(b) for a second or subsequent offence, £50 or 3 months or both.	£500 or 3 months or both.
57. Section 101(3) (disqualified person acting as proprietor of independent school, etc.).	For the words from “£20” to “£50” substitute “level 4 on the standard scale”.	(a) for a first offence, £20;	
		(b) for a second or subsequent offence, £50 or 3 months or both.	£500 or 3 months or both.
Water (Scotland) Act 1980 (c. 45)			
58. Section 38(7) (obstruction of person exercising power of entry).	For “£25” substitute “level 3 on the standard scale”.	£25.	£200.
59. Section 64(2) (failure to provide information, etc.).	For “£25” substitute “level 3 on the standard scale”.	£25.	£200.

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60. Section 72(3) (penalty which may be provided for contravention of byelaws).	For “the sum of £400” substitute “level 4 on the standard scale”.	£400 and £50 per day during which the offence continues.	£500 and £50 per day during which the offence continues.
61. Section 93(7) (failure to provide information, etc.).	For “£200” substitute “level 4 on the standard scale”.	£200 and £20 per day during which the offence continues.	£500 and £20 per day during which the offence continues.
62. Paragraph 10(3) of Schedule 4 (offences relating to construction of reservoirs).	For the words from “£50” where first occurring to “continued” substitute “level 3 on the standard scale”.	£50 per day during which the offence is committed or continues.	£200.
63. Paragraph 28 of Schedule 4 (obstruction of person exercising power of entry).	For the words “£25” substitute “level 3 on the standard scale”.	£25.	£200.
Criminal Justice (Scotland) Act 1980 (c. 62)			
64. Section 9(2) (penalty for failure to attend for recognition).	For “£50” substitute “level 3 on the standard scale”.	£50 or 21 days.	£200 or 21 days.

#### Textual Amendments

- F34** Para. 1 repealed by [Roads \(Scotland\) Act 1984 \(c. 54, SIF 108\)](#), **Sch. 11**
- F35** Entries relating to [Housing \(Scotland\) Act 1966 \(c. 49\)](#) repealed by [Housing \(Scotland\) Act 1987 \(c. 26, SIF 61\)](#), s. 339, **Sch. 24**
- F36** Entry repealed by [Road Traffic Regulation Act 1984 \(c. 27, SIF 107:1\)](#), ss. 144, 146, **Schs. 10, 14**
- F37** Para. 47 repealed by [Roads \(Scotland\) Act 1984 \(c. 54, SIF 108\)](#), **Sch. 11**
- F38** Words in s. 385(2)(c)(5)(5B)(b) inserted (31.3.1996 subject to transitional provisions and savings in the commencing S.I.) by 1995 c. 20, **s. 39(1)(b)**; S.I 1996/517, arts. 3(2), 4-6, Sch. 2

## SCHEDULE 8

### PROVISIONS OF THIS ACT REFERRED TO IN SECTION 460(8) OF THIS ACT

The following are the provisions of this Act referred to in section 460(8) of this Act:—

section 70	section 242	section 274(4)
section 98 proviso	section 243	section 275
section 125	section 244	section 276
section 132(2)	section 246	section 277

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section 153(3)	section 248	section 278
section 156(1) to (4) and (6)	section 249	section 316
section 157	section 250	section 317
section 203	section 251	section 318
section 217(2) and (3)	section 253	section 319
section 225	section 257	section 395(3) to (7)
section 229	section 259	section 396(3)
section 232	section 260	section 397
section 233	section 261	section 398(4) and (5)
section 234	section 264	section 400(7) and (8)
section 235	section 265	section 404
section 236	section 267	section 446(3)
section 237(2) to (4)	section 269	Schedule 2
section 239	section 270(2) to (4)	Schedule 3
section 241	section 272	Schedule 6
	section 273	Schedule 7

## SCHEDULE 9

Section 461.

### AMENDMENT OF OTHER ENACTMENTS

#### **Modifications etc. (not altering text)**

- C6** The text of Schedule 9 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

#### *The Jurors (Scotland) Act 1825 (1825 c. 22)*

- 1 In section 7, for the words from the beginning to “case may be” there shall be substituted the words “The Court of Session may by Act of Sederunt”, and for the words from “those courts” to “Edinburgh” there shall be substituted the words “that court”.
- 2 In section 10, for the words “court whatsoever” there shall be substituted the words “civil court”.
- 3 In section 13, after the word “several” there shall be inserted the words “civil jury”.
- 4 In section 19, after the word “several” there shall be inserted the word “civil”.

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*The Criminal Law (Scotland) Act 1830 (1830 c. 37)*

5 In section 7, for the words from “cause” to “criminal” there shall be substituted the words “civil cause or proceeding”.

6 ..... F39

**Textual Amendments**  
F39 Sch. 9 para. 6 repealed by Interpretation Act 1978 (c. 30, SIF 115:1), Sch. 3

*The Children and Young Persons (Scotland) Act 1937 (1937 c. 37.)*

7 In section 57(3), for the words “this section” there shall be substituted the words “section 206 of the Criminal Procedure (Scotland) Act 1975”.

8 In section 58A(2), for the words “this section” there shall be substituted the words “section 413 of the Criminal Procedure (Scotland) Act 1975”.

9 In section 62(b), for the words from “subsection (2)” to the end there shall be substituted the words “subsection (2) of section 206 of the Criminal Procedure (Scotland) Act 1975; or”.

10 In section 87, in subsections (1) and (3), after the words “Act 1963” there shall be inserted the words “and of the Criminal Procedure (Scotland) Act 1975”, and for the words “section 58A of this Act” there shall be substituted the words “section 413 of the said Act of 1975”.

11 In section 105(1), for the words from “provided” to the end of the subsection, there shall be substituted the words “provided by the Criminal Procedure (Scotland) Act 1975”.

12 In section 110(1), the definitions of “commit for trial” and “remand” shall be omitted.

*The Law Officers Act 1944 (1944 c. 25.)*

13 In section 2, in the proviso, at the end there shall be added the words “or section 42 of the Criminal Procedure (Scotland) Act 1975”.

*The Criminal Justice (Scotland) Act 1949 (1949 c. 94.)*

14 In section 42(2), for the words “the Summary Jurisdiction (Scotland) Act 1908” there shall be substituted the words “Part II of the Criminal Procedure (Scotland) Act 1975”.

15 ..... F40

**Textual Amendments**  
F40 Sch. 9 para. 15 repealed by Criminal Law Act 1977 (c. 45, SIF 39:1), Sch. 13

16 ..... F41

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**Textual Amendments**

**F41** Sch. 9 para. 16 repealed by Prisons (Scotland) Act 1989 (c. 45, SIF 39:1), s. 45(2), Sch. 3

17—29. . . . . F42

**Textual Amendments**

**F42** Sch. 9 paras. 17–29 repealed by Mental Health (Scotland) Act 1984 (c. 36, SIF 85), Sch. 5

*The Criminal Justice Act 1961 (1961 c. 39.)*

30 In section 32(2), after paragraph (h) there shall be inserted the following paragraph—

“(i) sections 214 and 423 of the Criminal Procedure (Scotland) Act 1975.”

*The Criminal Justice (Scotland) Act 1963 (1963 c. 39)*

31—35. . . . . F43

**Textual Amendments**

**F43** Sch. 9 paras. 31–35 repealed by Prisons (Scotland) Act 1989 (c. 45, SIF 39:1), s. 45(2), Sch. 3

36 In Schedule 1, in paragraph 11, for the words “paragraphs 4 to 7” there shall be substituted the words “sections 214(1) to (6) and 423(1) to (6) of the Criminal Procedure (Scotland) Act 1975”, and for the words from “substituted subparagraphs” to the end there shall be substituted the words “substituted paragraphs (a) and (b) of section 214(2) or 432(2) of the said Act of 1975”.

37 In Schedule 1, in paragraph 13, for the words from “paragraph 8” to “this Schedule” there shall be substituted the words “section 214(7) or 423(7) of the Criminal Procedure (Scotland) Act 1975 (and, if that person is released from such a prison under the said section 214(7) or 423(7), paragraph 2 of this Schedule)”.

38 In Schedule 1, in paragraph 14, after the word “Schedule” there shall be inserted the words “or section 214 or 423 of the Criminal Procedure (Scotland) Act 1975”.

39 In Schedule 1, in paragraph 15, for the words “Part I of this Schedule” there shall be substituted the words “section 214 or 423 of the Criminal Procedure (Scotland) Act 1975”.

40 . . . . . F44

**Textual Amendments**

**F44** Sch. 9 para. 40 repealed by Criminal Justice (Scotland) Act 1980 (c. 62, SIF 39:1), Sch. 8

41 . . . . . F45

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### Textual Amendments

**F45** Sch. 9 para. 41 repealed by Prisons (Scotland) Act 1989 (c. 45, SIF 39:1), s. 45(2), Sch. 3

#### *The Social Work (Scotland) Act 1968 (1968 c. 49)*

42 In section 37, in subsection (2), for the words from “Children” to “that Act” there shall be substituted the words “Criminal Procedure (Scotland) Act 1975 or any offence under section 21(1) of the Children and Young Persons (Scotland) Act 1937”, and in subsection (4), for the words from “section 40(3)” to “1937” there shall be substituted the words “section 14(1), 296(3) or 323(1) of the said Act of 1975”.

43 In section 56(5), for the words “as aforesaid” there shall be substituted the words “under section 173 or 372 or 373 of the Criminal Procedure (Scotland) Act 1975”.

44 In section 57(2), for the words “the foregoing subsection” there shall be substituted the words “373 of the Criminal Procedure (Scotland) Act 1975”.

#### *The Children and Young Persons Act 1969 (1969 c. 54)*

45 In Schedule 5, in paragraph 53, for the words “The said sections 39 and 49” there shall be substituted the words “Sections 39 and 49 of the principal Act”, and for the words “sections 46 and 54” wherever those words occur there shall be substituted the words “section 46”.

46 In Schedule 5, in paragraph 78, for the words from “section 58A” to the words “that section” there shall be substituted the words “section 413 of the Criminal Procedure (Scotland) Act 1975 and is not released under section 58A(3) of the said Act of 1937”.

#### *The Immigration Act 1971 (1971 c. 77)*

47 In section 6(2), for the words “section 26 of the Criminal Justice (Scotland) Act 1949” there shall be substituted the words “section 179 or 380 of the Criminal Procedure (Scotland) Act 1975”.

#### *The Criminal Justice Act 1972 (1972 c. 71)*

48 In section 24, for subsection (4) there shall be substituted the following subsection—

“(4) References in this section to facilitating the commission of an offence include references to the taking of any steps after it has been committed for the purpose of disposing of any property to which it relates or of avoiding apprehension or detection.”

49 In section 51(2), for the words “section 39(1) of the Criminal Justice (Scotland) Act 1963” there shall be substituted the words “sections 17(1) and 325(1) of the Criminal Procedure (Scotland) Act 1975”.

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*The Powers of Criminal Courts Act 1973 (1973 c. 62)*

- [<sup>F46</sup>50 In section 10—
- (a) in subsection (3)(a), for the words from “subsection (2)” to “Act 1949” there shall be substituted the words “section 184(2) or 385(2) of the Criminal Procedure (Scotland) Act 1975”, and after the words “Act and” there shall be inserted the words “section 184 or 385”;
  - (b) in subsection (3)(b), for the words “section 3” there shall be substituted the words “section 184 or 385”, and for the words “virtue of section 3” there shall be substituted the words “virtue of section 184 or 385”;
  - (c) in subsection (4), for the words from “Criminal” to “and 6” there shall be substituted the words “Criminal Procedure (Scotland) Act 1975, except sections 186(2)(b), 187, 387(2)(b) and 388”, and for the words “section 2” there shall be substituted the words “section 183 or 384”;
  - (d) in subsections (5) and (6), for the words from “Criminal” to “1949” there shall be substituted the words “Criminal Procedure (Scotland) Act 1975”; and
  - (e) in subsection (8), for the words from “section 7” to “1949” there shall be substituted the words “section 188 or 389 of the Criminal Procedure (Scotland) Act 1975”, and for the words “section 2” there shall be substituted the words “sections 183 or 384”.]

**Textual Amendments**

**F46** Sch. 9 para. 50 repealed (S.) (1.10.1992) by [Criminal Justice Act 1991 \(c. 53\)](#), s. 101(2), [Sch. 13](#); [S.I. 1992/333](#), art. 2(2), [Sch. 2](#).

*The Health and Safety at Work etc. Act 1974 (1974 c. 37)*

- 51 In section 34(5)(b), for the words “23(2) of the Summary Jurisdiction (Scotland) Act 1954” there shall be substituted the words “331(3) of the Criminal Procedure (Scotland) Act 1975”.

SCHEDULE 10

Section 461.

REPEALS AND REVOCATIONS

**Modifications etc. (not altering text)**

**C7** The text of s. 461 and Schedule 10 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

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## PART I

### ENACTMENTS REPEALED

Session and Chapter	Short Title	Extent of Repeal
1587 c. 54.	The Jurors Act 1587.	Section 10.
1587 c. 57.	The Criminal Justice Act 1587.	Sections 10 and 11.
1672 c. 40.	The Courts Act 1672.	Section 3. Section 8. Section 10.
1693 c. 43.	The Criminal Procedure Act 1693.	The whole Act.
1701 c. 6.	The Criminal Procedure Act 1701.	The words from “Our Sovereign” to “void and null”.
54 Geo. 3. c. 67.	The Justiciary Courts (Scotland) Act 1814.	Sections 1 to 4.
6 Geo. 4. c. 22.	The Jurors (Scotland) Act 1825.	Sections 8 and 9.  In section 14, the proviso. Sections 15 and 16. Section 17, so far as relating to criminal trials. Section 18. Section 20.
7 Geo. 4. c. 8.	The Juries (Scotland) Act 1826.	Sections 4 and 5 so far as relating to returns to criminal courts.
9 Geo. 4. c. 29.	The Circuit Courts (Scotland) Act 1828.	Section 2.  Section 5. Section 7. Section 10. Section 12. Section 14. Section 17. Section 21. Section 23.



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11 Geo. 4 & 1 Wm. 4. c. 37.	The Criminal Law (Scotland) Act 1830.	Section 8.  Section 12.
1 & 2 Vict. c. 119.	The Sheriff Courts (Scotland) Act 1838.	Section 25.
3 & 4 Vict. c. 59.	The Evidence (Scotland) Act 1840.	Sections 1, 3 and 4 so far as relating to criminal proceedings.
11 & 12 Vict. c. 79.	The Justiciary (Scotland) Act 1848.	Section 4.  Section 7.  Sections 11 and 12.
15 & 16 Vict. c. 27.	The Evidence (Scotland) Act 1852.	Sections 1, 3 and 4 so far as relating to criminal proceedings.
16 & 17 Vict. c. 80.	The Sheriff Courts (Scotland) Act 1853.	Section 34.
31 & 32 Vict. c. 95.	The Court of Justiciary (Scotland) Act 1868.	Section 1.  Section 10. Section 16. Section 18.
50 & 51 Vict. c. 35.	The Criminal Procedure (Scotland) Act 1887.	Sections 1 and 2.  In section 3, the words from “and all indictments” to the end of the section. Sections 4 to 44. Sections 47 to 76.
51 & 52 Vict. c. 36.	The Bail (Scotland) Act 1888.	The whole Act.
61 & 62 Vict. c. 36.	The Criminal Evidence Act 1898.	The whole Act, except so far as relating to courts-martial.
7 Edw. 7. c. 51.	The Sheriff Courts (Scotland) Act 1907.	Section 4 so far as relating to criminal proceedings.
8 Edw. 7. c. 65.	The Summary Jurisdiction (Scotland) Act 1908.	Section 2.  Section 10. Section 19(3) and (5). Section 30.

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		Section 43.
		Sections 45 to 47.
		Section 77.
6 & 7 Geo. 5. c. 50.	The Larceny Act 1916.	Section 39(2) and (3).
9 & 10 Geo. 5. c. 71.	The Sex Disqualification (Removal) Act 1919.	Sections 1 and 4(2) so far as relating to criminal proceedings.
11 & 12 Geo. 5. c. 50.	The Criminal Procedure (Scotland) Act 1921.	The whole Act.
15 & 16 Geo. 5. c. 81.	The Circuit Courts and Criminal Procedure (Scotland) Act 1925.	The whole Act
16 & 17 Geo. 5. c. 15.	The Criminal Appeal (Scotland) Act 1926.	Sections 1 to 3.
		In section 4(1), the first and second sentences.
		Sections 5 to 18.
23 & 24 Geo. 5. c. 41.	The Administration of Justice (Scotland) Act 1933.	Section 19.
		Section 21.
1 Edw. 8 & 1 Geo. 6. c. 37.	The Children and Young Persons (Scotland) Act 1937.	Sections 24 and 25.
		Sections 39 to 45.
		Section 46 so far as relating to criminal proceedings.
		Sections 47 to 55.
		Section 57(1) and (2).
		Section 58.
		Section 58A(1).
		Section 59(2), (3) and (4).
		Section 63.
		Section 67.
		Section 103.
		Schedule 1.
3 & 4 Geo. 6. c. 42.	The Law Reform (Miscellaneous Provisions) (Scotland) Act 1940.	Section 8.
12, 13 & 14 Geo. 6. c. 94.	The Criminal Justice (Scotland) Act 1949.	Part I, except sections 21 and 42.

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		Section 67.
		Section 79(2).
		Schedule 2.
		In Schedule 11, the entries relating to the Criminal Procedure (Scotland) Act 1887 and the Children and Young Persons (Scotland) Act 1937 (other than section 62 thereof).
2 & 3 Eliz. 2. c. 48.	The Summary Jurisdiction (Scotland) Act 1954.	Sections 1 to 73.
		In section 74, in subsection (1), the first sentence, and subsection (2).
		Section 75.
		Section 76(1)(a), (b) and (c).
		Section 77, except for the definition of “High Court”.
		Section 78.
		Schedule 1.
		Schedule 4.
8 & 9 Eliz. 2. c. 23.	The First Offenders (Scotland) Act 1960.	The whole Act.
8 & 9 Eliz. 2. c. 61.	The Mental Health (Scotland) Act 1960.	Sections 54 and 55.
		Section 57(1) to (4).
		Section 59(1).
		Section 60(1), (2) and (4).
		Sections 62 and 63.
		Section 96(5).
		In Schedule 4, the entry relating to the Criminal Justice (Scotland) Act 1949.
1963 c. 37.	The Children and Young Persons Act 1963.	In section 57, subsection (2) and, in subsection (4), the words “and 54”.
1963 c. 39.	The Criminal Justice (Scotland) Act 1963.	Section 1.
		Section 2(2).
		Section 3.

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		Sections 6 to 8.
		Section 13.
		Sections 16 and 17.
		Sections 23 to 25.
		Section 26(1).
		Sections 27 to 47.
		In section 53(1), the words “sections 39 and 40”.
		In section 53(3), the words “section 38”.
		In Schedule 1, paragraphs 4 to 10.
		In Schedule 3, Part I.
		In Schedule 5, the entries relating to the Summary Jurisdiction (Scotland) Act 1954 and the First Offenders (Scotland) Act 1960.
1965 c. 39.	The Criminal Procedure (Scotland) Act 1965.	The whole Act.
1965 c. 71.	The Murder (Abolition of Death Penalty) Act 1965.	Section 1(1), (2), (3) and (5) except so far as relating to courts-martial.
1966 c. 19.	The Law Reform (Miscellaneous Provisions) (Scotland) Act 1966.	Section 9.
1967 c. 80.	The Criminal Justice Act 1967.	Section 48(1).
		Section 54(6) and (8).
		Section 62(8).
		Section 64(2)(c).
		Section 68.
		Section 72(1) to (4).
		Section 93(3).
		In Schedule 6, paragraph 21.
1968 c. 49.	The Social Work (Scotland) Act 1968.	Section 56, except subsection (5).
		Section 57(1).

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		In Schedule 2, in Part I, in paragraph 2, the words “(except in section 54)”.
		In Schedule 2, Part II, except in paragraph 16, section 58A(2) and (3) of the Children and Young Persons (Scotland) Act 1937, and paragraphs 7 and 18.
		In Schedule 8, paragraphs 1, 22 to 31, 55, 56 and 69 to 72.
1969 c. 54.	The Children and Young Persons Act 1969.	In Schedule 5, paragraphs 25, 26, 67 and 68.
		In Schedule 5, in paragraph 65(2), the words “and 13”.
1972 c. 71.	The Criminal Justice Act 1972.	Section 23.
1973 c. 62.	The Powers of Criminal Courts Act 1973.	In section 53, the words from “or under” to “1949”.
		In section 58(a), the word “53”.
		In Schedule 5, paragraphs 3, 8, 11, 18 and 19.
1973 c. 65.	The Local Government (Scotland) Act 1973.	In Schedule 27, paragraphs 6, 7 and 15.

## PART II

### ACTS OF ADJOURNAL REVOKED

Year and date or number	Title	Extent of revocation
1815 (June 26).	Act of adjournal—High Court (Scotland) Fines and Forfeited Penalties—1815 (June 26).	The words from “all fines imposed” (where those words first occur) to “otherwise disposed of”.
1817 (Sep. 9).	Act of adjournal—Swearing the same Assize on different trials—1817 (Sep. 9).	The whole Act.
1821 (July 9).	Act of Adjournment—Doubles of Indictments and Criminal Letters—1821 (July 9).	The whole Act.
1849 (Aug. 1)	Act of adjournment—Procedure and Records in the High Court—1849 (Aug. 1).	Sections III and V.

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1879 (Feb. 22).	Act of Adjournal—Sentences of Imprisonment—1879 (Feb. 22).	The whole Act.
1887 (Nov. 3).	Act of Adjournal—Summoning of Jurors and Report under Public Record (Scotland) Act 1809—1887 (Nov. 3).	Section 3(3).
1900 (Mar 20).	Act of Adjournal—Fine or Imprisonment (Scotland and Ireland) Act 1899—1900 (Mar. 20).	The whole Act.
1909 (Mar. 20).	Act of Adjournal—Appeals under section 63 of the Summary Jurisdiction (Scotland) Act 1908—1909 (Mar. 20).	The whole Act.
1920 No.2462.	Act of Adjournal—Return of Jurors for Sittings of High Court at Edinburgh—1920 No.2462.	The whole Act.
1921 No.167.	Act of Adjournal—Sex Disqualification (Removal) Act 1919 and Jurors (Enrolment of Women) (Scotland) Act 1920—1921 No.167.	The whole Act.
1925 No.366.	Act of Adjournal—Absent Jurors, Application and Remissions of Fines—1925 No. 366.	The whole Act.
1926 No.1373.	Act of Adjournal—Criminal Appeal (Scotland) Act 1926—1926 No.1373.	The whole Act, except section 19(b) and the Schedule.
1935 (Mar. 22).	Act of Adjournal—Shorthand Notes at Criminal Trials—1935 (Mar. 22).	The whole Act.
1936 No.1151.	Act of Adjournal—Verdicts and Sentences—1936 No.1151.	The whole Act.
1950 (June 15).	Act of Adjournal Fines on Indictments (Payment by Instalments) 1950 (1950 (June 15)).	The whole Act.
S.I. 1964/249.	Act of Adjournal (Summary Procedure) 1964 (1964 No.249).	The whole Act, except sections 13 and 14 and the Schedule.

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S.I. 1966/694.

Act of Adjournal (Procedure in Criminal Trials Amendment) 1966 (1966 No.694). The whole Act.

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