

*Status: Point in time view as at 23/02/2006.*

*Changes to legislation: There are currently no known outstanding effects for the Criminal Procedure (Consequential Provisions) (Scotland) Act 1995, Part II. (See end of Document for details)*

## SCHEDULES

### SCHEDULE 2

#### INCREASE IN CERTAIN PENALTIES

##### PART II

#### INCREASE OF FINES FOR CERTAIN SUMMARY OFFENCES

<b>(1)</b> <b>Enactment creating offence</b>	<b>(2)</b> <b>Penalty enactment</b>	<b>(3)</b> <b>Old maximum fine</b>	<b>(4)</b> <b>New maximum fine</b>
F1	F1	F1	F1
...	...	...	...
<b>PROTECTION OF ANIMALS ACT 1934 (C. 21)</b> Offences under section 1(1) (prohibition of certain public contests, performances and exhibitions with horses or bulls).	Section 2.	£100	Level 4 on the standard scale.
<b>PUBLIC ORDER ACT 1936 (1Edw. 8 &amp; 1 Geo. 6)</b> (C. 6) Offences under section 1(1) (wearing uniform signifying association with political organisation).	Section 7(2).	£50	Level 4 on the standard scale.
<b>CHILDREN AND YOUNG PERSONS (SCOTLAND) ACT 1937 (C. 37)</b> Offences under section 46(2) (publication of matters identifying juveniles in court proceedings).	Section 46(2).	£50	Level 4 on the standard scale.

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<b>CINEMATOGRAPH FILMS (ANIMALS) ACT 1937 (C. 59)</b> Offences under section 1(1) (prohibition of films in production of which suffering has been caused to animals).	Section 1(3).	£100	Level 4 on the standard scale.
F2 . . . [ F3 . . . ] F4	F2 . . . F3 . . . F4	F2 . . . F3 . . . F4	F2 . . . F3 . . . ] F4
.....			
<b>NATIONAL ASSISTANCE ACT 1948 (C. 29)</b> 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.	Level 4 on the standard scale.
<b>AGRICULTURE (SCOTLAND) ACT 1948 (C. 45)</b> 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.	Level 3 on the standard scale.
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.	Level 3 on the standard scale.
<b>DOCKING AND NICKING OF HORSES ACT 1949 (C. 70)</b> Offences under section 1(1) (prohibition of docking or nicking horses).	Section 1(3).	£25	Level 3 on the standard scale.
Offences under section 2(3) (offences in connection with importation of docked horses).	Section 2(3).	£25	Level 3 on the standard scale.

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Offences under section 2(4) (making of false statement).	Section 2(4).	£25	Level 3 on the standard scale.
<b>COCKFIGHTING ACT 1952 (C. 59)</b> Offences under section 1(1) (possession of appliances for use in fighting of domestic fowl).	Section 1(1)	£25	Level 3 on the standard scale.
<b>DOGS (PROTECTION OF LIVESTOCK) ACT 1953 (C. 28)</b> 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.	Level 3 on the standard scale.
<b>PESTS ACT 1954 (C. 68)</b> Offences under section 12 (spreading of myxomatosis).	Section 12.	£20 for a first offence and £50 for a second or subsequent offence in respect of the same dog.	Level 3 on the standard scale.
<b>ANIMAL (CRUEL POISONS) ACT 1962 (C. 26)</b> Offences under section 1 (offences in connection with use of prohibited poison for destroying animals).	Section 1.	£50	Level 3 on the standard scale.
<b>POLICE (SCOTLAND) ACT 1967 (C. 77)</b> Offences under section 41(1) (assaults on constable etc.), where the offender has not, within the period of two years immediately preceding the offence been convicted of an offence against the section.	Section 41(1).	£50	Level 4 on the standard scale.

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<p><b>SEA FISHERIES (SHELLFISH ACT) 1967 (C. 83)</b> Offences under section 7(4) (using prohibited fishing implements etc. in an area of fishery or oyster bed to which section applies).</p>	<p>Section 7(4).</p>	<p>£2 for a first offence, £5 for a second offence and £10 for a third or subsequent offence.</p>	<p>Level 3 on the standard scale.</p>
<p><b>ABORTION ACT 1967 (C. 87)</b> Offences under section 2(3) (contravening or failing to comply with regulations as to notification).</p>	<p>Section 2(3).</p>	<p>£100</p>	<p>Level 5 on the standard scale.</p>
<p><b>AGRICULTURE (MISCELLANEOUS PROVISIONS) ACT 1968 (C. 34)</b> 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).</p>	<p>Section 7(1).</p>	<p>£100 for a first offence and £200 for a second or subsequent offence.</p>	<p>Level 4 on the standard scale.</p>
<p>F5</p>	<p>F5</p>	<p>F5</p>	<p>F5</p>
<p>F5</p>	<p>F5</p>	<p>F5</p>	<p>F5</p>
<p>F5</p>	<p>F5</p>	<p>F5</p>	<p>F5</p>
<p>F5</p>	<p>F5</p>	<p>F5</p>	<p>F5</p>
<p>F5</p>	<p>F5</p>	<p>F5</p>	<p>F5</p>
<p><b>GAMING ACT 1968 (C. 65)</b> Offences under section 8(5) (gaming in a street or public place).</p>	<p>Section 8(5).</p>	<p>£50</p>	<p>Level 4 on the standard scale.</p>

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<b>EMPLOYERS' LIABILITY (COMPULSORY INSURANCE) ACT 1969 (C. 57)</b> Offences under section 4(3) (offences in relation to certificates of insurance).	Section 4(3).	£50	Level 3 on the standard scale.
Offences under section 5 (employer failing to insure employee).	Section 5.	£200	Level 4 on the standard scale.
<b>CONSERVATION OF SEALS ACT 1970 (C. 30)</b> 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.	Level 4 on the standard scale.
<b>MISUSE OF DRUGS ACT 1971 (C. 38)</b> Offences under section 17(3) (failure to comply with notice requiring information relating to prescribing supply etc. of drugs).	Schedule 4.	£100	Level 3 on the standard scale.
<b>POISONS ACT 1972 (C. 66)</b> 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	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	Level 2 on the standard scale.
Offences under section 9(8) (obstructing an inspector etc.).	Section 9(8).	£5	Level 2 on the standard scale.
<b>HEALTH AND SAFETY AT WORK ETC. ACT 1974 (C. 37)</b>			

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Offences under the following provisions—

<p>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 3(1)(h) (intentionally obstructing an inspector); section 33(1)(n) (falsely pretending to be an inspector).</p>	<p>Section 33(2).</p>	<p>£400</p>	<p>Level 5 on the standard scale.</p>
<p><b>SALMON AND FRESHWATER FISHERIES ACT 1975 (C. 51)</b> Offences against any provision of the Act not specified in the table in Part I of Schedule 4.</p>	<p>Paragraph 1(2) of Schedule 4.</p>	<p>£50 for a first offence and £100 for a second or subsequent offence.</p>	<p>Level 4 on the standard scale.</p>
<p>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.</p>	<p>The Table in Part I of Schedule 4.</p>	<p>£50 for a first offence and £100 for a second or subsequent offence.</p>	<p>Level 4 on the standard scale.</p>

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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.	Level 4 on the standard scale.
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.	Level 4 on the standard scale.
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.	Level 4 on the standard scale.
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).	The said Table.	£100 for a first offence and £200 for a second or subsequent offence.	Level 4 on the standard scale.
Offences under section 21 (prohibition on use of certain devices at certain times).	The said Table.	£100 for a first offence and £200 for a second or subsequent offence.	Level 4 on the standard scale.
Offences under section 27 (fishing for fish otherwise than under the authority of a licence and possessing an unlicensed instrument with intent to use it for fishing) if not acting with another).	The said Table.	£50 for a first offence and £100 for a second or subsequent offence.	Level 4 on the standard scale.

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### Textual Amendments

- F1** Entry in Sch. 2 Pt. II repealed (1.8.1997) by 1997 c. 48, s. 62(1)(2), Sch. 1 para. 19(2), **Sch. 3**; S.I. 1997/1712, art. 3, **Sch.**
- F2** Entry in Sch. 2 Pt. II repealed (1.4.1997) by 1996 c. 53, s. 147, **Sch. 3 Pt. II**; S.I. 1996/2842, art. 4
- F3** Words in Sch. 2 Pt. II repealed (1.4.2002) by 2001 asp 8, s. 80(1)(2), **Sch. 4**; S.S.I. 2002/162, art. 2(g)(i)
- F4** Sch. 2 Pt. 2: entry relating to Fire Services Act 1947 repealed (2.8.2005) by Fire (Scotland) Act 2005 (asp 5), ss. 89(2), 90, sch. 4; S.S.I. 2005/392, art. 2(k)
- F5** Sch. 2 Pt. 2: entry relating to Social Work (Scotland) Act 1968 repealed (23.2.2006) by Joint Inspection of Childrens Services and Inspection of Social Work Services (Scotland) Act 2006 (asp 3), ss. 8(4)(g), 10(2)



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