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*Status: Point in time view as at 01/04/1996.*

*Changes to legislation: Criminal Procedure (Scotland) Act 1995, Paragraph 12 is up to date with all changes known to be in force on or before 25 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

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## SCHEDULES

### SCHEDULE 3

#### INDICTMENTS AND COMPLAINTS

- 12 In a complaint charging a contravention of an enactment—
- (a) the statement that an act was done contrary to a enactment shall imply a statement—
    - (i) that the enactment applied to the circumstances existing at the time and place of the offence;
    - (ii) that the accused was a person bound to observe the enactment;
    - (iii) that any necessary preliminary procedure had been duly gone through; and
    - (iv) that all the circumstances necessary to a contravention existed, and, in the case of the contravention of a subordinate instrument, such statement shall imply a statement that the instrument was duly made, confirmed, published and generally made effectual according to the law applicable, and was in force at the time and place in question; and
  - (b) where the offence is created by more than one section of one or more statutes or subordinate instruments, it shall be necessary to specify only the leading section or one of the leading sections.

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