



Criminal Procedure (Scotland) Act 1995

1995 CHAPTER 46

PART IX

SUMMARY PROCEEDINGS

Trial diet

159 Amendment of complaint.

- (1) It shall be competent at any time prior to the determination of the case, unless the court see just cause to the contrary, to amend the complaint or any notice of previous conviction relative thereto by deletion, alteration or addition, so as to—
 - (a) cure any error or defect in it;
 - (b) meet any objection to it; or
 - (c) cure any discrepancy or variance between the complaint or notice and the evidence.
- (2) Nothing in this section shall authorise an amendment which changes the character of the offence charged, and, if it appears to the court that the accused may in any way be prejudiced in his defence on the merits of the case by any amendment made under this section, the court shall grant such remedy to the accused by adjournment or otherwise as appears to the court to be just.
- (3) An amendment made under this section shall be sufficiently authenticated by the initials of the clerk of the court.

Status:

Point in time view as at 01/04/1996.

Changes to legislation:

Criminal Procedure (Scotland) Act 1995, Section 159 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.