
STATUTORY INSTRUMENTS

1995 No. 2295

The Criminal Justice (Scotland) Act 1995 (Commencement No. 1, Transitional Provisions and Savings) Order 1995

Citation and interpretation

1. This Order may be cited as the Criminal Justice (Scotland) Act 1995 (Commencement No. 1, Transitional Provisions and Savings) Order 1995.
2. In this Order—
 - “the Act” means the Criminal Justice (Scotland) Act 1995; and
 - “the 1975 Act” means the Criminal Procedure (Scotland) Act 1975(1).

Commencement of Provisions

- 3.—(1) This Article has effect subject to the provisions of Articles 4 to 6 below.
 - (2) The provisions of the Act which are specified in column 1 of the Schedule to this Order shall, insofar as they are not then in force, come into force on 26th September 1995 but, where a particular purpose in relation to any such provision is specified in column 2 of that Schedule, that provision shall come into force on that day only for that purpose.

Transitional Provisions and Savings

4. Section 35 of the Act shall not affect the powers of a court in relation to an offence committed before 26th September 1995.
5. Section 42 of the Act shall not apply in relation to an appeal where the person was, before 26th September 1995, convicted of or, as the case may be, found to have committed the offence.
6. Section 65 of the Act and the repeal, in Part I of Schedule 7 to the Act, of words in section 25(2) of the Legal Aid (Scotland) Act 1986(2) shall not apply in the case of an application for criminal legal aid in respect of an appeal under section 228(1) or 442(1)(a) of the 1975 Act where the person was, before 26th September 1995, convicted of or, as the case may be, found to have committed the offence.

St Andrew's House,
Edinburgh
31st August 1995

James Douglas-Hamilton
Minister of State, Scottish Office