

SCHEDULE
MINOR AND CONSEQUENTIAL AMENDMENTS

Criminal Procedure (Scotland) Act 1995 (c. 46)

- 7 (1) In section 23 (bail applications) of the Criminal Procedure (Scotland) Act 1995—
- (a) in subsection (1)—
 - (i) the words “which is by law bailable” are repealed; and
 - (ii) after “any” where it second occurs there is inserted “(other than the first)”;
 - (b) in subsection (5) the words “except murder or treason” are repealed; and
 - (c) for subsection (6) there is substituted—

“(6) Any person charged on complaint with an offence shall, on any (other than the first) occasion on which he is brought before a judge having jurisdiction to try the offence, be entitled to apply to the judge for bail and the prosecutor shall be entitled to be heard against any such application.”.
- (2) In section 32 (bail appeal) of that Act—
- (a) in subsections (1), (2), (5), (7) and (10), for the words “applicant” and “applicant's”, wherever they occur, there are substituted respectively “accused” and “accused's”;
 - (b) in subsection (2), the words “an application for” are repealed; and
 - (c) in subsection (7), for the words “the application” there is substituted “bail”.
- (3) In section 33 (bail: no fees exigible) of that Act—
- (a) for “his” there is substituted “a decision on bail under section 22A above, an”; and
 - (b) after “such” there is inserted “a decision or”.
- (4) In section 186 (appeals against sentence only) of that Act, in subsection (5)(b), for “temporary” there is substituted “part-time”.
- (5) In section 194 (appeals against sentence only) of that Act, in subsection (2)(b), for “temporary” there is substituted “part-time”.