



Criminal Justice (Scotland) Act 2003

2003 asp 7

PART 8

EVIDENTIAL, JURISDICTIONAL AND PROCEDURAL MATTERS

Procedural matters

63 Adjourment at first diet in summary proceedings

- (1) The 1995 Act is amended as follows.
- (2) In section 144 (procedure at first diet), in subsection (9) after “145” there is inserted “ or 145A ”.
- (3) In section 145 (adjourment for inquiry at first calling), in subsection (1) for the words from the beginning to “Act,” there is substituted “ Where the accused is present ”.
- (4) After section 145 there is inserted—

“145A Adjourment at first calling to allow accused to appear etc.

- (1) Without prejudice to section 150(1) to (7) of this Act, where the accused is not present at the first calling of the case in a summary prosecution, the court may (whether or not the prosecutor is able to provide evidence that the accused has been duly cited) adjourn the case under this section for such period as it considers appropriate; and subject to subsections (2) and (3) below, the court may from time to time so adjourn the case.
- (2) An adjourment under this section shall be—
 - (a) for the purposes of allowing—
 - (i) the accused to appear in answer to the complaint; or
 - (ii) time for inquiry into the case; or
 - (b) for any other cause the court considers reasonable.
- (3) No one period of adjourment under this section shall exceed 28 days.”.

Changes to legislation:

Criminal Justice (Scotland) Act 2003, Section 63 is up to date with all changes known to be in force on or before 08 April 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.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- specified provision(s) and purposes Appointed Day(s) by [S.S.I. 2003/439 art. 23Sch.](#) (Effect not applied to [legislation.gov.uk](#). This S.S.I. is revoked (1.10.2003) by S.S.I. 2003/475, art. 4)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 16D inserted by [2023 asp 4 s. 14\(3\)](#)
- s. 16ZA inserted by [2023 asp 4 s. 14\(2\)](#)
- s. 17E(6) inserted by [2023 asp 4 s. 14\(7\)\(d\)](#)
- s. 17DA inserted by [2023 asp 4 s. 14\(6\)](#)
- s. 17ZA inserted by [2023 asp 4 s. 14\(4\)](#)
- s. 18A(5) inserted by [2023 asp 4 s. 14\(8\)\(b\)](#)