



Criminal Procedure (Amendment) (Scotland) Act 2004

2004 asp 5

PART 2

SOLEMN PROCEEDINGS GENERALLY

12 Service etc. on accused through a solicitor

After section 72F of the 1995 Act (as inserted by section 8 of this Act) insert—

“72G Service etc. on accused through a solicitor

- (1) In any proceedings on indictment, anything which is to be served on or given, notified or otherwise intimated to, the accused shall be taken to be so served, given, notified or intimated if it is, in such form and manner as may be prescribed by Act of Adjournal, served on or given, notified or intimated to (as the case may be) the solicitor described in subsection (2) below at that solicitor’s place of business.
- (2) That solicitor is any solicitor—
 - (a) who—
 - (i) has notified the prosecutor under subsection (1) of section 72F of this Act that he is engaged by the accused for the purposes of his defence; and
 - (ii) has not informed the prosecutor under subsection (3) of that section that he has been dismissed by, or has withdrawn from acting for, the accused; or
 - (b) who—
 - (i) has been appointed to act for the purposes of the accused’s defence at the trial under section 92 or 288D of this Act; and
 - (ii) has not been relieved of the appointment by the court.”