



Criminal Procedure (Amendment) (Scotland) Act 2004

2004 asp 5

PART 4

MISCELLANEOUS AND GENERAL

Miscellaneous

19 First diet in sheriff court solemn proceedings: witnesses and bail

(1) Section 71 (first diet) of the 1995 Act is amended as follows.

(2) After subsection (1B) insert—

“(1C) At a first diet, the court—

- (a) shall ascertain which of the witnesses included in the list of witnesses are required by the prosecutor or the accused to attend the trial; and
- (b) shall, where the accused has been admitted to bail, review the conditions imposed on his bail and may—
 - (i) after giving the parties an opportunity to be heard; and
 - (ii) if it considers it appropriate to do so,fix bail on different conditions.”.

(3) In subsection (2), for “and (1A)” substitute “, (1A) and (1C)”.

(4) In subsection (3), after “(1A)” insert “, (1C)”.

Commencement Information

II S. 19 in force at 1.2.2005 by S.S.I. 2004/405, art. 2(1), [sch. 1](#) (with arts. 3-5)

Changes to legislation:

There are currently no known outstanding effects for the Criminal Procedure (Amendment) (Scotland) Act 2004, Section 19.