



Criminal Procedure (Amendment) (Scotland) Act 2004

2004 asp 5

PART 4

MISCELLANEOUS AND GENERAL

Miscellaneous

22 Citation of witnesses for precognition

After section 267 of the 1995 Act there is inserted—

“267A Citation of witnesses for precognition

- (1) This Act shall be sufficient warrant for the citation of witnesses for precognition by the prosecutor, whether or not any person has been charged with the offence in relation to which the precognition is taken.
- (2) Such citation shall be in the form prescribed by Act of Adjournal or as nearly as may be in such form.
- (3) A witness who, having been duly cited—
 - (a) fails without reasonable excuse, after receiving at least 48 hours notice, to attend for precognition by a prosecutor at the time and place mentioned in the citation served on him; or
 - (b) refuses when so cited to give information within his knowledge regarding any matter relative to the commission of the offence in relation to which the precognition is taken,shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale or to a term of imprisonment not exceeding 21 days.”.

Changes to legislation: *There are currently no known outstanding effects for the Criminal Procedure (Amendment) (Scotland) Act 2004, Section 22. (See end of Document for details)*

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Commencement Information

II S. 22 in force at 4.10.2004 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 22.