



# Criminal Proceedings etc. (Reform) (Scotland) Act 2007

2007 asp 6

## PART 3

### PENALTIES

#### *Sentencing powers*

#### **44 Particular statutory offences**

- (1) In section 41 (assaults on constables, etc.) of the Police (Scotland) Act 1967 (c. 77), in subsection (1), for the word “nine” there is substituted “ 12 ”.
- (2) In section 26A (enforcement of wildlife legislation) of the Wildlife and Countryside Act 1981 (c. 69), for the words from “as amended” to “97/62/EC” there is substituted “ (that is, the Directive as amended from time to time by any other [F<sup>1</sup>EU] instrument or otherwise) ”.
- (3) In section 37 (offences) of the Antisocial Behaviour etc. (Scotland) Act 2004 (asp 8)—
  - (a) in subsection (4), for the words from “(a “relevant offence”)” to the end there is substituted “ shall be liable on summary conviction to imprisonment for a term not exceeding 12 months or to a fine not exceeding the prescribed sum within the meaning of section 225(8) of the Criminal Procedure (Scotland) Act 1995 (c. 46) or to both. ”,
  - (b) subsection (5) is repealed.
- (4) In section 6 (penalties) of the Emergency Workers (Scotland) Act 2005 (asp 2)—
  - (a) for the word “9” there is substituted “ 12 ”,
  - (b) for the words “level 5 on the standard scale” there is substituted “ the prescribed sum within the meaning of section 225(8) of the Criminal Procedure (Scotland) Act 1995 (c. 46) ”.
- (5) In section 39 (assaulting or impeding employees discharging certain functions) of the Fire (Scotland) Act 2005 (asp 5), in subsection (4)—
  - (a) for the word “9” there is substituted “ 12 ”,

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**Changes to legislation:** There are currently no known outstanding effects for the Criminal Proceedings etc. (Reform) (Scotland) Act 2007, Section 44. (See end of Document for details)

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(b) after the word “scale” there is added “ or to both ”.

(6) This section does not affect the penalty for an offence committed before the coming into force of this section.

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#### **Textual Amendments**

**F1** Words in Act substituted (22.4.2011) by [The Treaty of Lisbon \(Changes in Terminology\) Order 2011 \(S.I. 2011/1043\)](#), arts. 2, **3(1)**, 6(1) (with art. 3(3))

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#### **Commencement Information**

**I1** S. 44 wholly in force at 10.12.2007; s. 44 not in force at Royal Assent, see s. 84; s. 44(2) in force at 23.4.2007 by [S.S.I. 2007/250](#), **art. 3**; s. 44 otherwise in force at 10.12.2007 by [S.S.I. 2007/479](#), **art. 3**, [Sch.](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Criminal Proceedings etc. (Reform) (Scotland) Act 2007, Section 44.