



Criminal Justice and Licensing (Scotland) Act 2010

2010 asp 13

PART 6

DISCLOSURE

Interpretation of Part 6

167 Interpretation of Part 6

- (1) In this Part—
“investigating agency” has the meaning given by section 117(4),
“procurator fiscal” and “prosecutor” have the meanings given by section 307(1) of the 1995 Act.
- (2) References in the following sections to the accused include references to a solicitor or advocate acting on behalf of the accused—
- (a) section 121(2)(b),
 - (b) section 122(2),
 - (c) section 123(2)(b) and (3),
 - (d) section 124(2)(b),
 - (e) section 125(4)(b),
 - (f) section 126(6)(b),
 - (g) section 127(2),
 - (h) section 128(1)(b),
 - (i) section 129(6).
- (3) References in the following sections to the accused^[F1], the appellant or other person or the respondent] include references to a solicitor or advocate acting on behalf of the accused^[F2], the appellant or other person or, as the case may be, the respondent]—
- (a) section 141,
 - (b) section 142,
 - (c) section 143,

Changes to legislation: There are currently no known outstanding effects for the Criminal Justice and Licensing (Scotland) Act 2010, Cross Heading: Interpretation of Part 6. (See end of Document for details)

- (d) section 144 (other than subsection (5)(b)),
 - (e) section 145(4)(a)^{F3}, (4A)(a)] and (7),
 - (f) section 146 (other than subsections (7)(b), (8)(c)^{F4}, (8A)(c)] and (9)(b)),
 - (g) section 147,
 - (h) section 148 (other than subsection (6)(b)),
 - (i) section 149 (other than subsection (5)(b)),
 - (j) section 153(8)(c) and (d),
 - (k) section 155(1) and (4),
 - (l) section 156(1)(b), (4), (5) (in the second place where it occurs) and (6),
 - (m) section 158(5),
 - (n) section 160,
 - (o) section 162(1), (2), (3) (where it first occurs) and (5).
- (4) References in the following sections to an appellant include references to a solicitor or advocate acting on behalf of the appellant—
- (a) section 133(2)(b) and (4),
 - (b) section 134(1), (2)(b) and (3),
 - (c) section 135(1), (2), (3)(b) and (4).
- (5) References in the following sections to a person include references to a solicitor or advocate acting on behalf of the person or, as the case may be, to a solicitor or advocate who acted on behalf of the person in the proceedings to which the information relates—
- (a) section 136(2) and (3),
 - (b) section 137(2) and (4),
 - (c) section 138(2) and (3).
- ^{F5}(6) References in the following sections to the respondent include references to a solicitor or advocate acting on behalf of the respondent—
- (a) section 140B(2)(b) and (4),
 - (b) section 140C(1)(a), (2) and (3),
 - (c) section 140D(1), (2), (3)(b) and (4).]

Textual Amendments

- F1** Words in s. 167(3) substituted (28.11.2011) by [Double Jeopardy \(Scotland\) Act 2011 \(asp 16\), s. 17\(3\), Sch. para. 34\(a\)\(i\)](#); S.S.I. 2011/365, art. 3
- F2** Words in s. 167(3) substituted (28.11.2011) by [Double Jeopardy \(Scotland\) Act 2011 \(asp 16\), s. 17\(3\), Sch. para. 34\(a\)\(ii\)](#); S.S.I. 2011/365, art. 3
- F3** Words in s. 167(3)(e) inserted (28.11.2011) by [Double Jeopardy \(Scotland\) Act 2011 \(asp 16\), s. 17\(3\), Sch. para. 34\(a\)\(iii\)](#); S.S.I. 2011/365, art. 3
- F4** Words in s. 167(3)(f) inserted (28.11.2011) by [Double Jeopardy \(Scotland\) Act 2011 \(asp 16\), s. 17\(3\), Sch. para. 34\(a\)\(iv\)](#); S.S.I. 2011/365, art. 3
- F5** S. 167(6) inserted (28.11.2011) by [Double Jeopardy \(Scotland\) Act 2011 \(asp 16\), s. 17\(3\), Sch. para. 34\(b\)](#); S.S.I. 2011/365, art. 3

Commencement Information

- I1** S. 167 in force at 6.6.2011 by [S.S.I. 2011/178, art. 2, Sch.](#)

Changes to legislation:

There are currently no known outstanding effects for the Criminal Justice and Licensing (Scotland) Act 2010, Cross Heading: Interpretation of Part 6.