

SCHEDULE 4  
CONVICTIONS BY COURTS IN OTHER EU MEMBER  
STATES: MODIFICATIONS OF ENACTMENTS

PART 1

THE 1995 ACT

*The 1995 Act*

- 8 In section 307 (interpretation)—
- (a) in subsection (1), insert the following definition at the appropriate place—
- ““conviction”, in relation to a previous conviction by a court outside Scotland, means a final decision of a criminal court establishing guilt of a criminal offence;”, and
- (b) for subsection (5) substitute—
- “(5) Except where the context requires otherwise—
- (a) any reference in this Act to a previous conviction is to be construed as a reference to a previous conviction by a court in any part of the United Kingdom or in any other member State of the European Union;
- (b) any reference in this Act to a previous sentence is to be construed as a reference to a previous sentence passed by any such court;
- (c) any reference to a previous conviction of a particular offence is to be construed, in relation to a previous conviction by a court outside Scotland, as a reference to a previous conviction of an equivalent offence; and
- (d) any reference to a previous sentence of a particular kind is to be construed, in relation to a previous sentence passed by a court outside Scotland, as a reference to a previous sentence of an equivalent kind.”.

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**Commencement Information**

**II** Sch. 4 para. 8 in force at 13.12.2010 by S.S.I. 2010/413, art. 2, Sch. (with Sch.)

**Changes to legislation:**

There are currently no known outstanding effects for the Criminal Justice and Licensing (Scotland) Act 2010, Paragraph 8.