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**Changes to legislation:** *Police and Fire Reform (Scotland) Act 2012, Paragraph 12 is up to date with all changes known to be in force on or before 20 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

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## SCHEDULE 7 MINOR AND CONSEQUENTIAL AMENDMENTS

### PART 1

#### AMENDMENTS RELATING TO PART 1

##### *Criminal Procedure (Scotland) Act 1995 (c.46)*

- 12 (1) The Criminal Procedure (Scotland) Act 1995 is amended as follows.
- (2) In section 12 (instructions by Lord Advocate as to reporting of offences)—
- (a) for first “a” substitute “ the ”,
  - (b) the words from “within” to “therewith” are repealed.
- (3) In section 18(4)(b) (prints, samples etc. in criminal investigations), for “any police force” substitute “ the Police Service of Scotland ”.
- (4) In section 18A (retention of samples etc.: prosecutions for sexual and violent offences)—
- (a) in subsection (5), for “relevant chief constable” substitute “ chief constable of the Police Service of Scotland ”,
  - (b) in subsection (11), the definition of “the relevant chief constable” is repealed.
- (5) In section 18C (section 18B: extension of retention period where relevant offer relates to certain sexual or violent offences)—
- (a) in subsection (2), for “relevant chief constable” substitute “ chief constable of the Police Service of Scotland ”,
  - (b) in subsection (11), the definition of “the relevant chief constable” is repealed.
- (6) In section 18F (retention of samples etc. relating to children: appeals)—
- (a) in subsection (1), for “relevant chief constable” substitute “ chief constable of the Police Service of Scotland ”,
  - (b) in subsection (10), the definition of “the relevant chief constable” is repealed.
- (7) In section 19(4)(b) (prints, samples etc. in criminal investigations: supplementary provisions), for “police force which instructed the analysis” substitute “ Police Service of Scotland ”.
- (8) In section 19C (use of certain samples etc.)—
- (a) in subsection (1)(e)—
    - (i) for paragraph (i) substitute—

“(i) the Police Service of Scotland (“the Police Service”),”
    - (ii) in paragraph (ii), for “Services Authority” substitute “ Authority (“the Authority”), ”,
    - (iii) in paragraph (iii), for “a police force” substitute “ the Police Service or the Authority ”,
  - (b) in subsection (4), for the words from “a” where it first occurs to “force” where it third occurs substitute “ the Police Service, the Authority or a person acting on behalf of the Police Service or the Authority, the Police Service ”,

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- (c) in subsection (5), for the words from “A” to “force” where it second occurs substitute “ The Police Service, the Authority or a person acting on behalf of the Police Service or the Authority ”.
- (9) In section 194I(4) (power of Scottish Criminal Cases Review Commission to obtain documents), in the definition of “public body”, for paragraph (a) substitute—
  - “(a) the Police Service of Scotland;”.
- (10) In section 307(1) (interpretation)—
  - (a) in the definition of “constable”, for “Police (Scotland) Act 1967” substitute “ Police and Fire Reform (Scotland) Act 2012 ”,
  - (b) in the definition of “officer of law”, for paragraph (c) substitute—
    - “(c) any person who is appointed under section 26 of the Police and Fire Reform (Scotland) Act 2012 who is either authorised by the chief constable of the Police Service of Scotland in relation to such service and execution or is a police custody and security officer;”.
- (11) In Schedule 9 (certificates as to proof of certain routine matters), in the entry for the Firearms Act 1968 (c.27), in the second column, for “police force maintained for the authority's area” substitute “ Police Service of Scotland ”.

#### **Commencement Information**

**II** Sch. 7 para. 12 in force at 1.4.2013 by S.S.I. 2013/51, art. 2

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- Ch. 12A inserted by [2017 asp 4 s. 1\(1\)](#)
- s. 17(2)(h) inserted by [2017 asp 4 s. 2\(a\)\(ii\)](#)
- s. 17(4)(b)(iv) inserted by [2017 asp 4 s. 2\(b\)\(ii\)](#)
- s. 20A inserted by [2017 asp 4 s. 3](#)