
Changes to legislation: Courts Reform (Scotland) Act 2014, Cross Heading: Criminal Procedure (Scotland) Act 1995 is up to date with all changes known to be in force on or before 25 May 2023. 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

SCHEDULE 5 MODIFICATIONS OF ENACTMENTS

PART 10

JUSTICE OF THE PEACE COURTS

Criminal Procedure (Scotland) Act 1995

- 39 (1) The Criminal Procedure (Scotland) Act 1995 is amended in accordance with this paragraph.
- (2) In section 6(2) (constitution of JP courts), for “stipendiary magistrate” substitute “summary sheriff”.
- (3) In section 7 (jurisdiction and powers of JP courts), subsection (5) is repealed.
- (4) In section 245A (restriction of liberty orders), subsection (9) is repealed.
- (5) In section 248C(1) (power to prescribe courts to which sections 248A and 248B apply), the words from “and, without prejudice” to the end are repealed.
- (6) In section 249(8) (compensation orders)—
- (a) in paragraph (a), the words “, or a stipendiary magistrate,” are repealed, and
 - (b) in paragraph (b), the words “(other than a stipendiary magistrate)” are repealed.
- (7) In section 307(1) (interpretation)—
- (a) in the definition of “justice”, the words “stipendiary magistrate or” are repealed, and
 - (b) the definition of “stipendiary magistrate” is repealed.

Commencement Information

II Sch. 5 para. 39 in force at 1.4.2016 by S.S.I. 2016/13, art. 2, Sch. (with art. 3)

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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):

- sch. 1 para. 5A and cross-heading inserted by [2020 asp 9 s. 9](#)
- sch. 1 para. 2(g)(h) inserted by [2021 asp 16 s. 15\(8\)](#)