



# Regulatory Reform (Scotland) Act 2014

## 2014 asp 3

### PART 3

#### ENVIRONMENTAL REGULATION

#### CHAPTER 4

#### MISCELLANEOUS

##### *Publicity and remediation orders: appeals by prosecutor*

#### **44 Orders under sections 36 and 41: prosecutor's right of appeal**

- (1) The Criminal Procedure (Scotland) Act 1995 is amended in accordance with this section.
- (2) In section 108 (Lord Advocate's rights of appeal against disposal)—
  - (a) in subsection (1), after paragraph (ca) insert—
    - “(cb) a decision under section 36(2) of the Regulatory Reform (Scotland) Act 2014 not to make a publicity order;
    - (cc) a decision under section 41(2) of that Act not to make a remediation order;”
  - (b) in subsection (2)(b)(ii), for the words “or (ca)” substitute “, (ca), (cb) or (cc)”.
- (3) In section 175 (right of appeal from summary proceedings)—
  - (a) in subsection (4), after paragraph (ca) insert—
    - “(cb) a decision under section 36(2) of the Regulatory Reform (Scotland) Act 2014 not to make a publicity order;
    - (cc) a decision under section 41(2) of that Act not to make a remediation order;”
  - (b) in subsection (4A)(b)(ii), for “or (ca)” substitute “, (ca), (cb) or (cc)”.

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**Changes to legislation:** There are currently no known outstanding effects for the Regulatory Reform (Scotland) Act 2014, Cross Heading: Publicity and remediation orders: appeals by prosecutor: (See end of Document for details)

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#### Commencement Information

**II** S. 44 in force at 30.6.2014 by S.S.I. 2014/160, art. 2(1)(2), **Sch.**

**Changes to legislation:**

There are currently no known outstanding effects for the Regulatory Reform (Scotland) Act 2014, Cross Heading: Publicity and remediation orders: appeals by prosecutor.