
Changes to legislation: Criminal Justice (Scotland) Act 2016, Paragraph 29 is up to date with all changes known to be in force on or before 21 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

SCHEDULE 2 MODIFICATIONS IN CONNECTION WITH PART 1

PART 2

FURTHER MODIFICATIONS

The 1995 Act

- 29 In section 28—
- (a) after subsection (1) there is inserted—
 - “(1ZA) Where—
 - (a) a constable who is not in uniform arrests a person under subsection (1), and
 - (b) the person asks to see the constable's identification, the constable must show identification to the person as soon as reasonably practicable.”,
 - (b) after subsection (3) there is inserted—
 - “(3A) If—
 - (a) a person is in custody only by virtue of subsection (1) or (1A), and
 - (b) in the opinion of a constable there are no reasonable grounds for suspecting that the person has broken, or is likely to break, a condition imposed on the person's bail, the person must be released from custody immediately.
 - (3B) An accused is deemed to be brought before a court under subsection (2) or (3) if the accused appears before it by means of a live television link (by virtue of a determination by the court that the person is to do so by such means).”.

Commencement Information

II Sch. 2 para. 29 in force at 25.1.2018 by S.S.I. 2017/345, art. 3, sch.

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

- Act expiry of affecting provision 2022 asp 8, sch. para. 15 by [S.S.I. 2023/360 reg. 2\(a\)](#)