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**Changes to legislation:** There are currently no known outstanding effects for the Criminal Procedure (Amendment) (Scotland) Act 2004, Paragraph 28. (See end of Document for details)

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## SCHEDULE

### FURTHER MODIFICATIONS OF THE 1995 ACT

- 28 In section 83 (transfer of sheriff court solemn proceedings)—
- (a) in subsection (1)—
    - (i) for the word “sitting” in both places where it occurs substitute “ diet ”,
    - (ii) the words from “(that” to “Act)” are repealed,
  - (b) in subsection (1A)—
    - (i) for the word “sitting” in both places where it occurs substitute “ diet ”,
    - (ii) in sub-paragraph (ii), the words from “(that” to “Act)” are repealed,
  - (c) after subsection (2B) insert—

“(2C) The sheriff may proceed under subsection (2) above on a joint application of the parties without hearing the parties and, accordingly, he may dispense with any hearing previously appointed for the purposes of considering the application.”,
  - (d) subsection (3) is repealed.

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#### Commencement Information

- II** Sch. para. 28 in force at 1.2.2005 by [S.S.I. 2004/405](#), [art. 2\(1\)](#), [sch. 1](#) (with [arts. 3-5](#))

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