

SCHEDULE

Article 2

Table of Commencements of the 2004 Act

<i>Column 1</i> <i>Provisions to be commenced</i>	<i>Column 2</i> <i>Purposes for which the provision is to be commenced</i>
Section 1 insofar as it substitutes for section 271 of the 1995 Act: sections 271 (insofar as not already commenced other than in subsections (5) and (6) of substituted section 271 the reference to section 271I), 271C, 271D to 271G (insofar as not already commenced), 271H (insofar as not already commenced other than subsection (1)(a) of section 271H) and 271J to 271M (insofar as not already commenced)	Only in respect of solemn proceedings in the High Court and sheriff court.
Section 1 insofar as it substitutes for section 271 of the 1995 Act section 271(5) and (6) in relation to the references to sections 271H(1)(a) and 271I	Only in respect of solemn proceedings in the High Court and sheriff court, other than those in which, at the time the court is considering a vulnerable witness application under section 271C(5) or 271C(7) of the 1995 Act, or is reviewing the current arrangements for taking a vulnerable witness's evidence under section 271D(1) of the 1995 Act— <ul style="list-style-type: none"> (a) the accused is charged with a sexual offence to which section 288C of the 1995 Act applies; (b) the accused is charged with an offence in respect of which the court has made an order under section 288C(4) of the 1995 Act; (c) section 288E of the 1995 Act applies to the proceedings in respect of which the vulnerable witness application under consideration has been lodged or is being reviewed; or (d) an order has been made under section 288F(2) in the proceedings in respect of which the vulnerable witness notice under consideration has been lodged or is being reviewed.
Section 2 insofar as not already commenced other than subsections (2), (3) and (5)	Only in respect of solemn proceedings in the High Court and sheriff court.
Section 3 insofar as not already commenced other than the reference in subsection (1) of section 15A to section 271I	Only in respect of solemn proceedings in the High Court and sheriff court.
Section 3 insofar as it inserts section 15A in relation to the reference in subsection (1) of section 15A to section 271I	Only in respect of solemn proceedings in the High Court and sheriff court, other than those in which, at the time the court is considering

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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	a vulnerable witness application under section 271C(5) or 271C(7) of the 1995 Act, or is reviewing the current arrangements for taking a vulnerable witness's evidence under section 271D(1) of the 1995 Act—
	(a) the accused is charged with a sexual offence to which section 288C of the 1995 Act applies;
	(b) the accused is charged with an offence in respect of which the court has made an order under section 288C(4) of the 1995 Act;
	(c) section 288E of the 1995 Act applies to the proceedings in respect of which the vulnerable witness application under consideration has been lodged or is being reviewed; or
	(d) an order has been made under section 288F(2) in the proceedings in respect of which the vulnerable witness notice under consideration has been lodged or is being reviewed.
Section 6 insofar as not already commenced	Only in respect of solemn proceedings in the High Court and sheriff court.
Section 7(1) and (3) insofar as not already commenced	Only in respect of solemn proceedings in the High Court and sheriff court.
Section 11 insofar as not already commenced (except in section 11(5) the reference to section 18 shall not include section 18(1)(a))	Only in respect of proceedings in the sheriff court under Part II of the Children (Scotland) Act 1995(1) in respect of appeals under section 51(1) and applications under sections 65(7), 65(9) and 85 of that Act.
Section 11(5) insofar as the reference to section 18 includes section 18(1)(a)	Only in respect of proceedings in the sheriff court under Part II of the Children (Scotland) Act 1995 in respect of—
	(a) appeals under section 51(1) of that Act;
	(b) applications under sections 65(7) and 65(9) of that Act other than applications to which section 68A(1)(a) of that Act applies; or
	(c) applications under section 85 of that Act other than applications to which section 68A(1)(b) of that Act applies.
Sections 12, 13 to 16, 17(2) and 18(1)(b) to (e) and (2) insofar as not already commenced	Only in respect of proceedings in the sheriff court under Part II of the Children

(1) 1995 c. 36. Section 51 was amended by the [Antisocial Behaviour etc. \(Scotland\) Act 2004 \(asp 8\)](#), schedule 4, paragraph 4 and section 65 was amended by section 12(4) of that Act. Sections 68A and 68B were added by the [Vulnerable Witnesses \(Scotland\) Act 2004 \(asp 3\)](#), section 23.

<i>Column 1</i> <i>Provisions to be commenced</i>	<i>Column 2</i> <i>Purposes for which the provision is to be commenced</i>
Section 18(1)(a) and 19 insofar as not already commenced	(Scotland) Act 1995 in respect of appeals under section 51(1) and applications under sections 65(7), 65(9) and 85 of that Act. Only in respect of proceedings in the sheriff court under Part II of the Children (Scotland) Act 1995 in respect of— (a) appeals under section 51(1) of that Act; (b) applications under sections 65(7) and 65(9) of that Act other than applications to which section 68A(1)(a) of that Act applies; or (c) applications under section 85 of that Act other than applications to which section 68A(1)(b) of that Act applies.
Sections 20 to 22 insofar as not already commenced	Only in respect of proceedings in the sheriff court under Part II of the Children (Scotland) Act 1995 in respect of appeals under section 51(1) and applications under sections 65(7), 65(9) and 85 of that Act.