
SCOTTISH STATUTORY INSTRUMENTS

2009 No. 342

The Mutual Recognition of Criminal Financial Penalties in the European Union (Scotland) Order 2009

**PART I
GENERAL**

Application

2.—(1) The amendments to the Criminal Procedure (Scotland) Act 1995 made by this Order apply only in relation to financial penalties—

- (a) which were imposed by a court on conviction; or
- (b) accrued otherwise than on conviction of an offence and, on default, enforced in the same manner as fines imposed by a court,

on or after 1st October 2008.

(2) In this article, “financial penalty” where—

- (a) that penalty is one to which section 223A of the Criminal Procedure (Scotland) Act 1995⁽¹⁾ applies, has the meaning given in subsection (5) of that section;
- (b) that penalty is one to which section 223F of the Criminal Procedure (Scotland) Act 1995⁽²⁾ applies, has the meaning given in Article 1(b) of the Framework Decision on financial penalties.

⁽¹⁾ 1995 c.46; section 223A is inserted by article 3 of this Order.

⁽²⁾ 1995 c.46; section 223F is inserted by article 3 of this Order.