
SCOTTISH STATUTORY INSTRUMENTS

2017 No. 99

**The Criminal Justice (Scotland) Act 2016
(Commencement No. 4, Transitional,
Transitory and Saving Provisions) Order 2017**

Appointed day and transitional provision – pre-trial time limits, duty of parties to communicate and indictments

3.—(1) 29th May 2017 is the day appointed for the coming into force of the following provisions of the 2016 Act, but only for the purposes of any indictment served on an accused on or after that day—

- (a) section 79 (pre-trial time limits);
- (b) section 80 (duty of parties to communicate); and
- (c) subsections (1), (2) and (5) of section 81 (first diets).

(2) For the purposes of paragraph (1), if an accused is cited in accordance with paragraph (b) of section 66(4) of the 1995 Act, the indictment is to be treated as having been served on the accused on the date specified under sub-paragraph (i) of that paragraph.

(3) Paragraph (4) applies in relation to a relevant notice served on an accused between 29th May 2017 and 30th July 2017.

(4) Despite the coming into force of section 79(3) and (4) of the 2016 Act by virtue of paragraph (1), such a notice may, as well as calling upon the accused to appear and answer to the indictment at a first diet in accordance with section 66(6)(a) or, as the case may be, section 72C(4) (b) of the 1995 Act (as amended by section 79(3) and (4) of the 2016 Act), call on the accused to appear and answer to the indictment at a trial diet.

(5) Where a notice under section 66(4)(b) or (6) of the 1995 Act calls on the accused to appear and answer to the indictment at a first diet and a trial diet, section 66(6AB) of the 1995 Act (as inserted by section 81 of the 2016 Act) does not apply in relation to that notice.