
SCOTTISH STATUTORY INSTRUMENTS

2020 No. 339

**The Criminal Justice (EU Exit) (Scotland)
(Amendment etc.) Regulations 2020**

PART 4

Council Framework Decision 2008/675/JHA on taking account of convictions in the member States of the European Union in the course of new criminal proceedings

Transitional and saving provision: proceedings commenced before IP completion day

16.—(1) This Part does not apply in relation to criminal proceedings commenced before IP completion day or appellate proceedings arising out of such criminal proceedings⁽¹⁾.

(2) For the purposes of paragraph (1), criminal proceedings are commenced—

- (a) in summary proceedings, on the date of the first calling of the case, and
- (b) in solemn proceedings, on the earliest of—
 - (i) the date of the grant of a warrant to arrest and commit,
 - (ii) the date of the intimation of a petition,
 - (iii) the date of the service of an indictment.

⁽¹⁾ See Article 62(1)(g) of the withdrawal agreement and sections 7A and 7C of the European Union (Withdrawal) Act 2018.