
SCOTTISH STATUTORY INSTRUMENTS

2020 No. 93

**Act of Adjournal (Criminal Procedure (Scotland)
Act 1995 Amendment) (Miscellaneous) 2020**

Amendment of the Criminal Procedure (Scotland) Act 1995

2.—(1) The Criminal Procedure (Scotland) Act 1995 is amended as follows.

(2) In section 75C (refixing diets: non-suitable days)(1)—

(a) subsection (2) is repealed;

(b) in subsection (3), for “subsections (1) and (2)” substitute “subsection (1)”.

(3) After section 83 (transfer of sheriff court solemn proceedings)(2) insert—

“Transfer of sheriff court solemn proceedings within sheriffdom: power of sheriff principal

83ZA. Where, because of exceptional circumstances which could not reasonably have been foreseen, it is not practicable for a sheriff court in a sheriffdom to proceed with some or all of the proceedings on indictment due to call at a diet, the sheriff principal may, of the sheriff principal’s own accord, make an order for—

(a) the transfer of the proceedings to a sheriff court in any other district in that sheriffdom; and

(b) adjournment to a diet of that court.”.

(4) After section 137A (transfer of sheriff court summary proceedings within sheriffdom)(3) insert—

“Transfer of sheriff court summary proceedings within sheriffdom: power of sheriff principal

137AA. Where, because of exceptional circumstances which could not reasonably have been foreseen, it is not practicable for a sheriff court in a sheriffdom to proceed with some or all of the summary cases due to call at a diet, the sheriff principal may, of the sheriff principal’s own accord, make an order for—

(a) the transfer of the proceedings to a sheriff court in any other district in that sheriffdom; and

(b) adjournment to a diet of that court.”.

(5) Subsection (2) of section 137ZB (refixing diets: non-suitable days) (4) is repealed.

(1) Section 75C was inserted by [S.S.I. 2011/430](#).

(2) Section 83 was last amended by the Criminal Procedure (Amendment) (Scotland) Act 2004 ([asp 5](#)).

(3) Section 137A was inserted by Criminal Justice (Scotland) Act 2003 ([asp 7](#)) and amended by the Criminal Proceedings etc. (Reform) (Scotland) Act 2007 ([asp 6](#)).

(4) Section 137ZB was inserted by [S.S.I. 2011/430](#).

Status: This is the original version (as it was originally made).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