



Criminal Justice (Scotland) Act 1980

1980 CHAPTER 62

PART III

PENALTIES

49 Power to remit fines

After section 395 of the 1975 Act there shall be inserted the following section—

“395A Power to remit fines.

- (1) A fine may at any time be remitted in whole or in part by—
 - (a) in a case where a transfer of fine order under section 403 of this Act is effective and the court by which payment is enforceable is, in terms of the order, a court of summary jurisdiction in Scotland, that court; or
 - (b) in any other case, the court which imposed the fine or (where that court was the High Court) by which payment was first enforceable.
- (2) Where the court remits the whole or part of a fine after imprisonment has been imposed under section 396(2) or (4) of this Act, it shall also remit the whole period of imprisonment or, as the case may be, reduce the period by an amount which bears the same proportion to the whole period as the amount remitted bears to the whole fine.
- (3) The power conferred by subsection (1) above shall be exercisable without requiring the attendance of the accused.”