
Changes to legislation: There are currently no known outstanding effects for the Criminal Procedure (Consequential Provisions) (Scotland) Act 1995, Cross Heading: Alteration of penalties on summary conviction of certain offences under the Misuse of Drugs Act 1971. (See end of Document for details)

SCHEDULES

SCHEDULE 1

SETTING AND ALTERATION OF CERTAIN PENALTIES

Alteration of penalties on summary conviction of certain offences under the Misuse of Drugs Act 1971

- 11 (1) The ^{M1}Misuse of Drugs Act 1971 shall be amended as follows—
- (a) in the entries in Schedule 4 showing the punishment that may be imposed on persons summarily convicted of offences mentioned in sub-paragraph (2)(b) below, for “6 months” there shall be substituted “ 3 months ”; and
 - (b) in the entry in Schedule 4 relating to section 5(2)—
 - (i) for “6 months” (being the maximum punishment on summary conviction of an offence under that section where a Class B drug was involved) there shall be substituted “ 3 months ”, and
 - (ii) for “6 months” being the maximum punishment on summary conviction of such an offence where a Class C drug was involved there shall be substituted “ 3 months ”.
- (2) The offences to which (as provided in paragraph 2(7) above) paragraph 2(1) above does not apply are—
- (a) offences under section 5(2) of the Misuse of Drugs Act 1971 (having possession of a controlled drug) where the controlled drug in relation to which the offence was committed was a Class B or Class C drug;
 - (b) offences under the following provisions of that Act, where the controlled drug in relation to which the offence was committed was a Class C drug, namely—
 - (i) section 4(2) (production, or being concerned in the production, of a controlled drug);
 - (ii) section 4(3) (supplying or offering a controlled drug or being concerned in the doing of either activity by another);
 - (iii) section 5(3) (having possession of a controlled drug with intent to supply it to another);
 - (iv) section 8 (being the occupier, or concerned in the management, of premises and permitting or suffering certain activities to take place there);
 - (v) section 12(6) (contravention of direction prohibiting practitioner etc from possessing, supplying etc controlled drugs); or
 - (vi) section 13(3) (contravention of direction prohibiting practitioner etc from prescribing, supplying etc controlled drugs).
- (3) In this paragraph “controlled drug”, “Class B drug” and “Class C drug” have the same meaning as in the Misuse of Drugs Act 1971.

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Marginal Citations

M1 [1971 c. 38](#).

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