

Changes to legislation: There are currently no known outstanding effects for the Criminal Procedure (Consequential Provisions) (Scotland) Act 1995, Part II. (See end of Document for details)

SCHEDULES

SCHEDULE 2

INCREASE IN CERTAIN PENALTIES

PART II

INCREASE OF FINES FOR CERTAIN SUMMARY OFFENCES

(1) Enactment creating offence	(2) Penalty enactment	(3) Old maximum fine	(4) New maximum fine
F1	F1	F1	F1
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F2	F2	F2	F2
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PUBLIC ORDER ACT 1936 (1Edw. 8 & 1 Geo. 6) (C. 6) Offences under section 1(1) (wearing uniform signifying association with political organisation).	Section 7(2).	£50	Level 4 on the standard scale.
CHILDREN AND YOUNG PERSONS (SCOTLAND) ACT 1937 (C. 37) Offences under section 46(2) (publication of matters identifying juveniles in court proceedings).	Section 46(2).	£50	Level 4 on the standard scale.
CINEMATOGRAPH FILMS (ANIMALS) ACT 1937 (C. 59) Offences under section 1(1) (prohibition of films in production of	Section 1(3).	£100	Level 4 on the standard scale.

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which suffering
has been caused to
animals).

F3	F3	F3	F3
...
[^{F4} ...]	F4	F4	F4 ...]
F5	F5	F5	F5

NATIONAL ASSISTANCE ACT 1948 (C. 29) Offences under section 55(2) (obstruction). Section 55(2) (as amended by Schedule 3 to the Criminal Justice Act 1967). £10 for a first offence and £20 for a second or subsequent offence. Level 4 on the standard scale.

AGRICULTURE (SCOTLAND) ACT 1948 (C. 45) Offences under section 50(1) (prohibition of night shooting and use of spring traps). Section 50(2) £20 for a first offence and £50 for a second or subsequent offence. Level 3 on the standard scale.

Offences under section 50A(1) (open trapping of hares and rabbits). Section 50A(2). £20 for a first offence and £50 for a second or subsequent offence. Level 3 on the standard scale.

DOCKING AND NICKING OF HORSES ACT 1949 (C. 70) Offences under section 1(1) (prohibition of docking or nicking horses). Section 1(3). £25 Level 3 on the standard scale.

Offences under section 2(3) (offences in connection with importation of docked horses). Section 2(3). £25 Level 3 on the standard scale.

Offences under section 2(4) (making of false statement). Section 2(4). £25 Level 3 on the standard scale.

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DOGS (PROTECTION OF LIVESTOCK) Section 1(6) (as amended by Schedule 3 to the £20 for a first offence and £50 for a second or subsequent offence. Level 3 on the standard scale.

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ACT 1953 (C. 28) Offences under section 1(1) (owning or keeping a dog which worries livestock).	Criminal Justice Act 1967).	in respect of the same dog.	
PESTS ACT 1954 (C. 68) Offences under section 12 (spreading of myxomatosis).	Section 12.	£20 for a first offence and £50 for a second or subsequent offence in respect of the same dog.	Level 3 on the standard scale.
ANIMAL (CRUEL POISONS) ACT 1962 (C. 26) Offences under section 1 (offences in connection with use of prohibited poison for destroying animals).	Section 1.	£50	Level 3 on the standard scale.
F7	F7	F7	F7
.....			
SEA FISHERIES (SHELLFISH ACT) 1967 (C. 83) Offences under section 7(4) (using prohibited fishing implements etc. in an area of fishery or oyster bed to which section applies).	Section 7(4).	£2 for a first offence, £5 for a second offence and £10 for a third or subsequent offence.	Level 3 on the standard scale.
ABORTION ACT 1967 (C. 87) Offences under section 2(3) (contravening or failing to comply with regulations as to notification).	Section 2(3).	£100	Level 5 on the standard scale.
AGRICULTURE (MISCELLANEOUS PROVISIONS) ACT 1968 (C. 34) Offences under the following provisions — section 1(1) (prevention of unnecessary pain and distress to livestock);	Section 7(1).	£100 for a first offence and £200 for a second or subsequent offence.	Level 4 on the standard scale.

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section 2(2) (breach of regulations with respect to welfare of livestock).

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GAMING ACT 1968 (C. 65) Section 8(5). £50 Level 4 on the standard scale.

Offences under section 8(5) (gaming in a street or public place).

EMPLOYERS' LIABILITY (COMPULSORY INSURANCE) ACT 1969 (C. 57) Section 4(3). £50 Level 3 on the standard scale.

Offences under section 4(3) (offences in relation to certificates of insurance).

Offences under section 5 (employer failing to insure employee). Section 5. £200 Level 4 on the standard scale.

CONSERVATION OF SEALS ACT 1970 (C. 30) Section 5(2). £50 for a first offence and £100 for a second or subsequent offence. Level 4 on the standard scale.

Any offence under the Act, except an offence under section 11(7).

MISUSE OF DRUGS ACT 1971 (C. 38) Schedule 4. £100 Level 3 on the standard scale.

Offences under section 17(3) (failure to comply with notice requiring

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information relating to prescribing supply etc. of drugs).

POISONS ACT 1972 (C. 66)	Section 8(1).	£50	Level 4 on the standard scale.
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Any offence under section 8(1) (contravention of provisions of sections 1 to 7, other than section 6(4), or of the Poisons rules).

Offences under section 6(4) (using title etc. falsely to suggest entitlement to sell poison).	Section 6(4).	£20	Level 2 on the standard scale.
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Offences under section 9(8) (obstructing an inspector etc.).	Section 9(8).	£5	Level 2 on the standard scale.
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HEALTH AND SAFETY AT WORK ETC. ACT 1974 (C. 37)

Offences under the following provisions—

section 33(1)(d) (contravening requirement imposed by or under section 14 or obstructing any person in exercise of his powers under section 14); section 33(1)(e) (contravening requirement imposed by inspector) where the requirement contravened was imposed under section 20; section 33(1)(f) (preventing etc, any other person from appearing before inspector); section 3(1)(h) (intentionally obstructing an inspector);	Section 33(2).	£400	Level 5 on the standard scale.
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section 33(1)(n)
(falsely pretending to
be an inspector).

**SALMON AND
FRESHWATER
FISHERIES
ACT 1975 (C. 51)**

Offences against
any provision of the
Act not specified in
the table in Part I of
Schedule 4.

Paragraph 1(2) of
Schedule 4.

£50 for a first offence
and £100 for a
second or subsequent
offence.

Level 4 on the
standard scale.

Offences under
section 1 (fishing
with certain
instruments for
salmon, trout or
freshwater fish and
possessing certain
instruments for
fishing for such fish)
if not acting with
another.

The Table in Part I of
Schedule 4.

£50 for a first offence
and £100 for a
second or subsequent
offence.

Level 4 on the
standard scale.

Offences under
section 19(2) (fishing
for salmon during the
annual close season
or weekly close time).

The said Table.

£100 for a first
offence and £200
for a second or
subsequent offence.

Level 4 on the
standard scale.

Offences under
section 19(4) (fishing
for trout during the
annual close season
or weekly close time).

The said Table.

£100 for a first
offence and £200
for a second or
subsequent offence.

Level 4 on the
standard scale.

Offences under
section 19(6) (fishing
for freshwater fish
during the annual
close season for
freshwater fish and
fishing for eels by
means of a rod and
line during that
season).

The said Table.

£100 for a first
offence and £200
for a second or
subsequent offence.

Level 4 on the
standard scale.

Offences under
section 19(7) (fishing
for rainbow trout
during the annual
close season for
rainbow trout and
fishing for eels by

The said Table.

£100 for a first
offence and £200
for a second or
subsequent offence.

Level 4 on the
standard scale.

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means of a rod and line during that season).

Offences under section 21 (prohibition on use of certain devices at certain times).	The said Table.	£100 for a first offence and £200 for a second or subsequent offence.	Level 4 on the standard scale.
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Offences under section 27 (fishing for fish otherwise than under the authority of a licence and possessing an unlicensed instrument with intent to use it for fishing) if not acting with another).	The said Table.	£50 for a first offence and £100 for a second or subsequent offence.	Level 4 on the standard scale.
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Textual Amendments

- F1** Entry in Sch. 2 Pt. II repealed (1.8.1997) by 1997 c. 48, s. 62(1)(2), Sch. 1 para. 19(2), **Sch. 3**; S.I. 1997/1712, art. 3, **Sch.**
- F2** Sch. 2 Pt. 2: entry relating to Protection of Animals Act 1934 repealed (3.11.2006) by The Animal Health and Welfare (Scotland) Act 2006 (Consequential Provisions) Order 2006 (S.S.I. 2006/536), art. 2(3), **Sch. 3**
- F3** Entry in Sch. 2 Pt. II repealed (1.4.1997) by 1996 c. 53, s. 147, **Sch. 3 Pt. II**; S.I. 1996/2842, **art. 4**
- F4** Words in Sch. 2 Pt. II repealed (1.4.2002) by 2001 asp 8, s. 80(1)(2), **Sch. 4**; S.S.I. 2002/162, **art. 2(g)(i)**
- F5** Sch. 2 Pt. 2: entry relating to Fire Services Act 1947 repealed (2.8.2005) by Fire (Scotland) Act 2005 (asp 5), ss. 89(2), 90, sch. 4; S.S.I. 2005/392, **art. 2(k)**
- F6** Sch. 2 Pt. 2: entry relating to Cockfighting Act 1952 repealed (3.11.2006) by The Animal Health and Welfare (Scotland) Act 2006 (Consequential Provisions) Order 2006 (S.S.I. 2006/536), art. 2(3), **Sch. 3**
- F7** Sch. 2 Pt. 2: entry relating to s. 41(1) of the Police (Scotland) Act 1967 repealed (1.9.2006) by Police, Public Order and Criminal Justice (Scotland) Act 2006 (asp 10), ss. 101, 104, **sch. 6 para. 3**; S.S.I. 2006/432, **art. 2(h)**
- F8** Sch. 2 Pt. 2: entry relating to Social Work (Scotland) Act 1968 repealed (23.2.2006) by Joint Inspection of Childrens Services and Inspection of Social Work Services (Scotland) Act 2006 (asp 3), **ss. 8(4)(g)**, 10(2)

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