

Changes to legislation: Criminal Procedure (Consequential Provisions) (Scotland) Act 1995, Part III is up to date with all changes known to be in force on or before 27 July 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

SCHEDULES

SCHEDULE 2

INCREASE IN CERTAIN PENALTIES

PART III

FINES TO BE ALTERED OTHER THAN IN ACCORDANCE WITH PARAGRAPHS 4 AND 5 OF SCHEDULE 1

(1) Enactment	(2) Amendment	(3) New penalty
MILITARY LANDS ACT 1892 (C. 43) Section 17(2) (offences against byelaws).	For “five pounds” substitute “ level 2 on the standard scale ”.	Level 2 on the standard scale.
PROTECTION OF ANIMALS (SCOTLAND) ACT 1912 (C. 14) Section 7 (selling poisoned grain or placing on any land matter rendered poisonous).	For “ten pounds” substitute “ level 4 on the standard scale ”.	Level 4 on the standard scale.
LAND DRAINAGE (SCOTLAND) ACT 1930 (C. 20) Section 4 (obstruction of person exercising power of entry).	For “twenty pounds” substitute “ level 3 on the standard scale ”.	Level 3 on the standard scale.
LAND DRAINAGE (SCOTLAND) ACT 1941 (C. 13) Section 2(2) (obstruction of person exercising power of entry).	For “twenty pounds” substitute “ level 3 on the standard scale ”.	Level 3 on the standard scale.
PUBLIC HEALTH (SCOTLAND) ACT 1945 (C. 15) Section 1(5) (contravention of regulations as to treatment and spread of certain diseases).	For “one hundred pounds” substitute “ level 5 on the standard scale ”.	Level 5 on the standard scale and £50 per day during which the offence continues.
F1	F1	F1
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F1	F1	F1
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RADIOACTIVE SUBSTANCES ACT 1948 (C. 37) Section 8(1) (obstruction of person exercising power of entry).	For the words from “twenty pounds” to the end substitute “ level 4 on the standard scale ”.	Level 4 on the standard scale.
Section 8(3) (other summary offences under Act).	For the words from “one hundred pounds” where first occurring to “one hundred pounds” where secondly occurring substitute “ level 4 on the standard scale ”.	Level 4 on the standard scale or 3 months or both.
RIVERS (PREVENTION OF POLLUTION) (SCOTLAND) ACT 1951 (C. 66) Section 21 (obstruction of person exercising power of entry).	For the words from “five pounds” to the end substitute “ level 3 on the standard scale ”.	Level 3 on the standard scale.
LAND DRAINAGE (SCOTLAND) ACT 1958 (C. 24) Section 11(4) (obstruction of person exercising power of entry).	For the words from “five pounds” to the end substitute “ level 3 on the standard scale ”.	Level 3 on the standard scale.
BETTING, GAMING AND LOTTERIES ACT 1963 (C. 2) Section 28(10) (disclosing information about bookmaker’s business).	For “one hundred pounds” substitute “ level 4 on the standard scale ”.	Level 4 on the standard scale.
PLANT VARIETIES AND SEEDS ACT 1964 (C. 14) Section 25(9) (obstructing an authorised person).	For “twenty pounds” substitute “ level 3 on the standard scale ”.	Level 3 on the standard scale.
Section 27(1) (tampering with samples).	For “one hundred pounds” substitute “ level 5 on the standard scale ”.	Level 5 on the standard scale or 3 months or both.
AGRICULTURE AND HORTICULTURE ACT 1964 (C. 28) Section 20(1) (obstruction, etc. of authorised officer).	For “twenty pounds” substitute “ level 3 on the standard scale ”.	Level 3 on the standard scale.
Section 20(2) (offences under Part III).	For the words from “one hundred pounds” to “two hundred and fifty pounds” substitute “ level 5 on the standard scale ”.	Level 5 on the standard scale or 3 months or both.
INDUSTRIAL AND PROVIDENT SOCIETIES ACT 1965 (C. 12) Section 61 (general offences).	For “five pounds” substitute “ level 3 on the standard scale ”.	Level 3 on the standard scale.

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<p>RIVERS (PREVENTION OF POLLUTION) (SCOTLAND) ACT 1965 (C. 13) Section 11(2) (unauthorised disclosure of information).</p> <p>F2</p> <p>...</p> <p>F2</p> <p>...</p> <p>F2</p> <p>...</p> <p>F3</p> <p>...</p> <p>F3</p> <p>...</p>	<p>For the words from “one hundred pounds” to the end substitute “ level 5 on the standard scale ”.</p> <p>F2</p> <p>...</p> <p>F2</p> <p>...</p> <p>F2</p> <p>...</p> <p>F3</p> <p>...</p> <p>F3</p> <p>...</p>	<p>Level 5 on the standard scale.</p> <p>F2</p> <p>...</p> <p>F2</p> <p>...</p> <p>F2</p> <p>...</p> <p>F3</p> <p>...</p> <p>F3</p> <p>...</p>
<p>AGRICULTURE (MISCELLANEOUS PROVISIONS) ACT 1968 (C. 34) Section 7(2) (obstructing officer authorised to carry out welfare inspections).</p>	<p>For “twenty pounds” substitute “ level 3 on the standard scale ”.</p>	<p>Level 3 on the standard scale.</p>
<p>SALE OF VENISON (SCOTLAND) ACT 1968 (C. 38) Section 1(4) (contravention of provisions regarding registration of venison dealers).</p> <p>Section 2(4) (failure to keep records, etc.)</p>	<p>For “£20” substitute “ level 3 on the standard scale ”.</p> <p>For “£20” substitute “ level 2 on the standard scale ”.</p>	<p>Level 3 on the standard scale.</p> <p>Level 2 on the standard scale.</p>
<p>SEWERAGE (SCOTLAND) ACT 1968 (C. 47) Section 44 (failure to provide information, etc.).</p> <p>Section 48(9) (obstruction of person having right of entry).</p> <p>Section 50(3) (unauthorised disclosure of information)>.</p>	<p>For “£20” substitute “ level 3 on the standard scale ”.</p> <p>For “£20” substitute “ level 3 on the standard scale ”.</p> <p>For the words from “£100” to the end substitute “ level 5 on the standard scale ”.</p>	<p>Level 3 on the standard scale.</p> <p>Level 3 on the standard scale and £5 per day which the offence continues.</p> <p>Level 5 on the standard scale.</p>
<p>TRANSPORT ACT 1968 (C. 73) Section 97A(1) (tachograph offences).</p>	<p>For “£200” substitute “ level 4 on the standard scale ”.</p>	<p>Level 4 on the standard scale.</p>

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Section 97A(2) (failure by employer to secure compliance with section 97A(1)(a)).	For “£200” substitute “ level 4 on the standard scale ”.	Level 4 on the standard scale.
ROAD TRAFFIC (FOREIGN VEHICLES) ACT 1972 (C. 27) Section 3(1) (disobeying prohibition on a goods vehicle).	For “£200” substitute “ level 5 on the standard scale ”.	Level 5 on the standard scale.
EDUCATION (SCOTLAND) ACT 1980 (C. 44) Section 43(1) (contravention of section 35, 41 or 42).	For the words from “in the case” where first occurring to “£50” where thirdly occurring substitute “ to a fine not exceeding level 3 on the standard scale ”.	Level 3 on the standard scale or 1 month or both.
Section 66(3) (obstruction of inspectors).	For the words from “£20” to “£50” substitute “ level 4 on the standard scale ”.	Level 4 on the standard scale or 3 months or both.
Section 98(2) (failure to register independent school, etc.).	For the words “£20” to “£50” substitute “ level 4 on the standard scale ”.	Level 4 on the standard scale or 3 months or both.
Section 101(2) (using disqualified premises).	For the words from “£20” to “£50” substitute “ level 4 on the standard scale’ ”.	Level 4 on the standard scale or 3 months or both.
Section 101(3) (disqualified person acting as proprietor of independent school, etc.).	For the words from “£20” to “£50” substitute “ level 4 on the standard scale ”.	Level 4 on the standard scale or 3 months or both.
WATER (SCOTLAND) ACT 1980 (C. 45) Section 38(7) (obstruction of person exercising power of entry).	For “£25” substitute “ level 3 on the standard scale ”.	Level 3 on the standard scale.
Section 64(2) (failure to provide information, etc.).	For “£25” substitute “ level 3 on the standard scale ”.	Level 3 on the standard scale.
Section 72(3) (penalty which may be provided for contravention of byelaws).	For “the sum of £400” substitute “ level 4 on the standard scale ”.	Level 4 on the standard scale and £50 per day during which the offence continues.
Section 93(7) (failure to provide information, etc.).	For “£200” substitute “ level 4 on the standard scale ”.	Level 4 on the standard scale and £20 per day during which the offence continues.
Paragraph 10(3) of Schedule 4 (offences relating to construction of reservoirs).	For the words from “£50” where first occurring to “continued” substitute “ level 3 on the standard scale ”.	Level 3 on the standard scale.
Paragraph 28 of Schedule 4 (obstruction of person exercising power of entry).	For the words “£25” substitute “ level 3 on the standard scale ”.	Level 3 on the standard scale.

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Textual Amendments

- F1** Words in Sch. 2 Pt. 3 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)**
- F2** Words in Sch. 2 Pt. 3 omitted (1.4.2019) by virtue of [The Forestry and Land Management \(Scotland\) Act 2018 \(Consequential Amendments\) Regulations 2019 \(S.S.I. 2019/125\)](#), regs. 1(2), **8**
- F3** Words in Sch. 2 Pt. 3 repealed (1.4.2013) by [Police and Fire Reform \(Scotland\) Act 2012 \(asp 8\)](#), s. 129(2), **Sch. 8 Pt. 1**; S.S.I. 2013/51, **art. 2** (with transitional provisions and savings in S.S.I. 2013/121)

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Changes and effects yet to be applied to :

- Sch. 2 Pt. 3 words repealed by [2008 asp 5 Sch. 3 Pt. 1](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

- Blanket amendment words substituted by [S.I. 2011/1043 art. 34](#)