
Changes to legislation: There are currently no known outstanding effects for the Criminal Procedure (Consequential Provisions) (Scotland) Act 1995, Paragraph 12. (See end of Document for details)

SCHEDULES

SCHEDULE 3

TRANSITIONAL PROVISIONS, TRANSITORY MODIFICATIONS AND SAVINGS

PART II

SPECIFIC PROVISIONS

Penal servitude and hard labour

- 12 (1) Any enactment which confers power on a court to pass a sentence of penal servitude in any case shall be construed, subject to sub-paragraph (3) below, as conferring power to pass a sentence of imprisonment for a term not exceeding the maximum term of penal servitude for which a sentence could have been passed in that case immediately before 12 June 1950.
- (2) Any enactment which confers power on a court to pass a sentence of imprisonment with hard labour in any case shall be construed as conferring power to pass a sentence of imprisonment for a term not exceeding the term for which a sentence of imprisonment with hard labour could have been passed in that case immediately before 12 June 1950.
- (3) Nothing in sub-paragraph (1) above shall be construed as empowering a court, other than the High Court, to pass a sentence of imprisonment for a term exceeding [^{F1}five years] .

Textual Amendments

- F1** Words in Sch. 3 para. 12(3) substituted (1.5.2004) by 1997 c. 48, ss. 13(4), 65 (with art. 3); S.I. 2004/176, art. 2 (with art. 3)

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