

**Changes to legislation:** There are currently no known outstanding effects for the Criminal Procedure (Consequential Provisions) (Scotland) Act 1995, Paragraph 93. (See end of Document for details)

## SCHEDULES

### SCHEDULE 4

#### MINOR AND CONSEQUENTIAL AMENDMENTS

##### Extent Information

- E1** This Act extends to S. but any amendment contained in Sch. 4 of any enactment which extends to E.W. or N.I. also so extends, see s. 7(5)

##### *Criminal Justice and Public Order Act 1994 (c. 33)*

- 93 (1) The Criminal Justice and Public Order Act 1994 shall be amended as follows.
- (2) In subsection (5) of section 25 (restriction on bail) in the definition of “the relevant enactments”, for paragraph (b) there shall be substituted the following paragraph—  
“(b) as respects Scotland, sections 205(1) to (3) and 208 of the Criminal Procedure (Scotland) Act 1995;”.
- (3) In section 102 (provision of prisoner escorts)—
- (a) in paragraph (b) of subsection (3), for the words “Criminal Procedure (Scotland) Act 1975” there shall be substituted the words “Criminal Procedure (Scotland) Act 1995”; and
- (b) in subsection (6)—
- (i) in the definition of “hospital order”, for the words “section 174, 174A, 175, 375A or 376 of the Act of 1975” there shall be substituted the words “section 53, 54 or 58 of the Act of 1995”; and
- (ii) in the definition of “warrant”, for the words “Act of 1975” there shall be substituted the words “Act of 1995”.
- (4) In subsection (4) of section 104 (powers and duties of prison custody officers), for the words “section 395(2) of the Criminal Procedure (Scotland) Act 1975” there shall be substituted the words “section 212 of the Criminal Procedure (Scotland) Act 1995”.
- (5) In subsection (1) of section 117 (interpretation of Chapter), in the definition of “prisoner” for the words “section 215 or 426 of the Criminal Procedure (Scotland) Act 1975” there shall be substituted the words “section 295 of the Criminal Procedure (Scotland) Act 1995”.
- (6) In section 138 (which supplements section 137 relating to cross-border powers of arrest)—
- (a) in subsection (2), for the words from “subsections (2) to (7)” to “1993” there shall be substituted the words “subsections (2) to (8) of section 14 (detention and questioning at police station), subsections (1), (2) and (4) to (6) of section 15 (rights of person arrested or detained) and section 18 (prints, samples etc. in criminal investigations) of the Criminal Procedure (Scotland) Act 1995”;

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- (b) in subsection (6)—
- (i) for the words “sections 2 and 3 of the Criminal Justice (Scotland) Act 1980” there shall be substituted the words “ sections 14 and 15 of the said Act of 1995 ”;
  - (ii) in paragraph (a), for the words “in section 2” there shall be substituted the words “ in section 14 ” and for the words “in subsections (4) and (7)” there shall be substituted the words “ in subsections (6) and (9) ”; and
  - (iii) in paragraph (b), for the words “in section 3(1)” there shall be substituted the words “ in subsections (1) and (2) of section 15 ”.

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