



Criminal Procedure and Investigations Act 1996

1996 CHAPTER 25

PART VII

MISCELLANEOUS AND GENERAL

Other miscellaneous provisions

73 Amendments to the Criminal Procedure (Scotland) Act 1995.

- (1) The ^{M1}Criminal Procedure (Scotland) Act 1995 shall be amended as follows.
- (2) In section 27 (breach of bail conditions: offences) the following subsection shall be inserted after subsection (4)—
 - “(4A) The fact that the subsequent offence was committed while the accused was on bail shall, unless challenged—
 - (a) in the case of proceedings on indictment, by giving notice of a preliminary objection under paragraph (b) of section 72(1) of this Act or under that paragraph as applied by section 71(2) of this Act; or
 - (b) in summary proceedings, by preliminary objection before his plea is recorded,be held as admitted.”.
- (3) In subsection (1) of section 65 (prevention of delay in trials), for the words from “shall be discharged forthwith” to the end of the subsection there shall be substituted—
 - “(a) shall be discharged forthwith from any indictment as respects the offence; and
 - (b) shall not at any time be proceeded against on indictment as respects the offence”.

Changes to legislation: *Criminal Procedure and Investigations Act 1996, Section 73 is up to date with all changes known to be in force on or before 23 April 2024. 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*

- (4) In Schedule 9 (certificates as to proof of certain routine matters), in the entry relating to the ^{M2}Social Security Administration Act 1992, for “Section 114(4)” in column 1 there shall be substituted “ Section 112(1) ”.

Marginal Citations

M1 1995 c. 43.

M2 1992 c. 20.

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

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 1(6) added by [1997 c. 39 s. 9\(4\)](#)
- s. 5(1A) amendment to earlier affecting provision 2015 c. 9 (N.I.), Sch. 2 para. 8 by [2022 c. 4 \(N.I.\) s. 4\(9\)\(f\)\(i\)](#)
- s. 5(1A) inserted by [2015 c. 9 \(N.I.\) Sch. 2 para. 8](#)
- s. 5(1A) words substituted in earlier affecting provision 2015 c. 9 (N.I.), Sch. 2 para. 8(1) by [2022 c. 4 \(N.I.\) s. 4\(9\)\(f\)\(ii\)](#)
- s. 13(1)(ba)(b) substituted for s. 13(1)(b) by 2015 c. 9 (N.I.), Sch. 2 para. 8(2) (as inserted) by [2022 c. 4 \(N.I.\) s. 4\(9\)\(f\)\(iii\)](#)
- Sch. 4 para. 4(f) and word added by [S.I. 2003/1247 \(N.I.\) Sch. 1 para. 16](#)