SCOTTISH STATUTORY INSTRUMENTS

2026 No. 294 (C. 34)

CRIMINAL LAW

CRIMINAL PROCEDURE

EVIDENCE

The Criminal Justice Modernisation and Abusive Domestic Behaviour Reviews (Scotland) Act 2025 (Commencement No. 2) Regulations 2026

Made - - - -	*27th October 2026*
Laid before the Scottish Parliament	*29th October 2026*
Coming into force - -	*30th December 2026*

The Scottish Ministers make the following Regulations in exercise of the power conferred by section 34(4) of the Criminal Justice Modernisation and Abusive Domestic Behaviour Reviews (Scotland) Act 2025(**a**).

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Criminal Justice Modernisation and Abusive Domestic Behaviour Reviews (Scotland) Act 2025 (Commencement No. 2) Regulations 2026 and come into force on 30 December 2026.

(2) In these Regulations, "the Act" means the Criminal Justice Modernisation and Abusive Domestic Behaviour Reviews (Scotland) Act 2025.

Appointed day

2.—(1) 30 December 2026 is the day appointed for the coming into force of those provisions of the Act which are specified in paragraph (2).

(2) The specified provisions are—

(a) section 6 (authentication of electronic copy documents),

(b) section 7 (body-worn video evidence),

(**a**) 2025 asp 14.

(c) section 11 (addition of charge to indictment).

NEIL GRAY
A member of the Scottish Government

St Andrew's House,
Edinburgh
27th October 2026

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations bring into force on 30 December 2026 sections 6, 7 and 11 of the Criminal Justice Modernisation and Abusive Domestic Behaviour Reviews (Scotland) Act 2025 ("the Act").

Section 6 concerns authentication of electronic copy documents and enables documents which have been uploaded to the Digital Evidence Sharing Capability (DESC) (see section 6(6)) or a successor system to be treated as true copies without the need for a certificate issued under schedule 8 of the Criminal Procedure (Scotland) Act 1995 (c. 46).

Section 7 deals with evidence from police body-worn video recordings and provides for details of date, time and/or place of recorded events where these are displayed on the footage to be treated as sufficient evidence of those matters unless challenged by the accused within a specified period.

Section 11 enables an indictment to be amended to add an additional charge or charges after service on the accused in the circumstances specified in that section.

The Bill for the Act received Royal Assent on 19 November 2025. Part 3 (sections 32 to 35) came into force the following day. In accordance with section 34(2) and (3), sections 1, 2, 4, 8, 9(1) insofar as relating to section 9(2), 9(2) and 10 came into force on 1 December 2025.

NOTE AS TO EARLIER COMMENCEMENT REGULATIONS

(This note is not part of the Regulations)

The following provisions of the Criminal Justice Modernisation and Abusive Domestic Behaviour Reviews (Scotland) Act 2025 have been brought into force by commencement regulations made before the date of these Regulations.

Provision	*Date of Commencement*	*S.S.I. No.*
Section 3	26 February 2026	S.S.I. 2026/85
Section 9(1) insofar as not already in force, (3) and (4)	26 February 2026	S.S.I. 2026/85
Section 12	1 April 2026	S.S.I. 2026/85
Sections 13 and 14	26 February 2026	S.S.I. 2026/85
Section 15 (partially)	26 February 2026	S.S.I. 2026/85
Section 15 (fully)	1 April 2026	S.S.I. 2026/85
Section 16	26 February 2026	S.S.I. 2026/85
Sections 17 to 23	1 April 2026	S.S.I. 2026/85
Section 24	26 February 2026	S.S.I. 2026/85
Section 25 (partially)	26 February 2026	S.S.I. 2026/85
Section 25 (fully)	1 April 2026	S.S.I. 2026/85
Section 26	1 April 2026	S.S.I. 2026/85

Section 27 (partially)	26 February 2026	S.S.I. 2026/85
Section 27 (fully)	1 April 2026	S.S.I. 2026/85
Sections 28 to 30	1 April 2026	S.S.I. 2026/85
Section 31(1)	1 April 2026	S.S.I. 2026/85
Section 31(2) and (3)	26 February 2026	S.S.I. 2026/85
Schedule	26 February 2026	S.S.I. 2026/85

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