STATUTORY INSTRUMENTS

1981 No. 1751 (C.50) (S.180)

CRIMINAL LAW, SCOTLAND

The Criminal Justice (Scotland) Act 1980 (Commencement No. 4) Order 1981

Made - - - - 1*st December* 1981

In exercise of the powers conferred upon me by Section 84(2) of the Criminal Justice (Scotland) Act 1980(**a**) and of all other powers enabling me in that behalf I hereby make the following order:—

1.—(1) This order may be cited as the Criminal Justice (Scotland) Act 1980 (Commencement No. 4) Order 1981.

(2) In this order, "the Act" means the Criminal Justice (Scotland) Act 1980.

2. This order shall extend to Scotland only.

3. The provisions of the Act which are referred to in column 1 of the Schedule to this order (which relate to the matters described in column 2 of that Schedule) shall come into force on 1st January 1982.

George Younger,
One of Her Majesty's Principal Secretaries of State.

New St Andrew's House,
Edinburgh.
1st December 1981.

(a) 1980 c.62.

SCHEDULE

PROVISIONS OF THE ACT COMING INTO FORCE ON 1ST JANUARY 1982

Column 1 Provisions of the Act	Column 2 Subject Matter of Provisions
Section 6	Judicial examination
Section 12	Abolition of mandatory first diet in solemn procedure
Section 13	Written notice of evidence incriminating co-accused in solemn procedure
Section 16	Procedure where accused desires to plead guilty under solemn procedure
Section 36	Appeals from decisions on competency and relevancy in summary proceedings
Section 83(2) to the extent necessary to give effect to paragraphs 31 and 78 of Schedule 7	Minor and consequential amendments
Section 83(3) to the extent necessary to give effect to the repeal of the enactments in Schedule 8 specified in the appendix hereto	Repeals
Schedule 4	Abolition of mandatory first diet
In Schedule 7 paragraphs 31 and 78 (which amend the Criminal Procedure (Scotland) Act 1975)	Minor and consequential amendments
Schedule 8 to the extent specified in the appendix hereto	Repeals

APPENDIX

REPEALS IN SCHEDULE 8 TAKING EFFECT ON 1ST JANUARY 1982

Chapter	Short Title	Extent of Repeal
1887 c.35	The Criminal Procedure (Scotland) Act 1887	Schedules F and G
1975 c.21	The Criminal Procedure (Scotland) Act 1975	In Section 68(3) the words "where the accused pleads not guilty at the first diet" Section 74(3) Sections 105 to 107 Sections 120 to 122

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order brings into force on 1st January 1982 the provisions of the Criminal Justice (Scotland) Act 1980 which are referred to in Column 1 of the Schedule to the Order. These provisions relate to procedures in the Scottish criminal courts and extend to Scotland only.

The provisions of the Act which remain to be brought into force are section 45 and Schedule 5 (which relate to the detention of young offenders) and the consequential provisions of Schedules 7 and 8.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This Note does not form part of the Order.)

The following provisions of the Act have been brought into force by Commencement Order made before the date of this Order:—

Provisions	S.I. No
Sections 1, 4, 7, 8, 9, 11, 14, 15, 17 to 32, 37 to 42, 46 to 50, 52 to 57, 68 to 82, 83 (partially), 84 (partially), Schedule 1, Schedule 6 (partially), Schedule 7 (partially), and Schedule 8 (partially).	1981/50
Sections 10, 33, 34, 35, 43, 44, 58 to 67, 83 (partially), 84 (partially), Schedule 2, Schedule 3, Schedule 6 (partially), Schedule 7 (partially) and Schedule 8 (partially).	1981/444
Sections 2, 3, 5, 51, 83 (partially), 84 (partially), Schedule 6 (partially) and Schedule 7 (partially).	1981/766

SI 1981/1751
ISBN 0-11-017751-7

