



# Coronavirus (Recovery and Reform) (Scotland) Act 2022

## 2022 asp 8

### PART 5

#### TEMPORARY JUSTICE MEASURES

##### *Supporting provisions*

#### **55 Criminal procedure time limits: consequential modifications**

- (1) The Criminal Procedure (Scotland) Act 1995 is modified as follows.
- (2) In section 52T(4) (prevention of delay in trials: assessment orders and treatment orders)—
  - (a) in paragraph (a), for “the total periods of 80 days, 110 days and 140 days” substitute “any period”,
  - (b) in paragraph (b), the word “total” is repealed,
  - (c) in paragraph (c)—
    - (i) for “total of 40 days” substitute “period”,
    - (ii) before “section” insert “subsection (1) of”.
- (3) In section 65 (solemn proceedings: prevention of delay in trials)—
  - (a) in subsection (3), for “either or both of the periods of 11 and 12 months”, in both places where it occurs, substitute “any period”,
  - (b) in subsection (10)—
    - (i) for “the periods of 11 and 12 months specified in subsections (1) and (3) above” substitute “any period specified in subsection (1) (including any such period as extended)”,
    - (ii) for “detained” substitute “in lawful custody”,
    - (iii) the words from “in any prison” to the end of the subsection are repealed.
- (4) In section 71B (first diet: appointment of trial date)—
  - (a) in subsection (3)—

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*Changes to legislation: There are currently no known outstanding effects for the Coronavirus (Recovery and Reform) (Scotland) Act 2022, Section 55. (See end of Document for details)*

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- (i) for “12 month period”, in both places where it occurs, substitute “period specified in section 65(1)(b)”,
    - (ii) for “140 day period” substitute “period specified in section 65(4)(b)(ii)”,
  - (b) in subsection (4), for “12 month period” substitute “period specified in section 65(1)(b)”,
  - (c) in subsection (5)—
    - (i) for “140 day period” substitute “period specified in section 65(4)(b)(ii)”,
    - (ii) for “12 month period”, in both places where it occurs, substitute “period specified in section 65(1)(b)”,
  - (d) in subsection (6)—
    - (i) for “140 day period”, in both places where it occurs, substitute “period specified in section 65(4)(b)(ii)”,
    - (ii) for “12 month period” substitute “period specified in section 65(1)(b)”,
  - (e) in subsection (7)—
    - (i) for “140 day period” substitute “period specified in section 65(4)(b)(ii)”,
    - (ii) for “12 month period”, in both places where it occurs, substitute “period specified in section 65(1)(b)”,
  - (f) for subsection (10) substitute—
 

“(10) In this section a reference to the period specified in section 65(1)(b) or section 65(4)(b)(ii) is to be construed as including that period as extended.”.
- (5) In section 72A (preliminary hearing: appointment of trial diet)—
- (a) in subsection (3)—
    - (i) for “12 month period”, in both places where it occurs, substitute “period specified in section 65(1)(b)”,
    - (ii) for “140 day period” substitute “period specified in section 65(4)(aa)(ii)”,
  - (b) in subsection (4), for “12 month period” substitute “period specified in section 65(1)(b)”,
  - (c) in subsection (5)—
    - (i) for “140 day period” substitute “period specified in section 65(4)(aa)(ii)”,
    - (ii) for “12 month period”, in both places where it occurs, substitute “period specified in section 65(1)(b)”,
  - (d) in subsection (6)—
    - (i) for “140 day period”, in both places where it occurs, substitute “period specified in section 65(4)(aa)(ii)”,
    - (ii) for “12 month period” substitute “period specified in section 65(1)(b)”,
  - (e) in subsection (7)—
    - (i) for “140 day period” substitute “period specified in section 65(4)(aa)(ii)”,

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**Changes to legislation:** There are currently no known outstanding effects for the Coronavirus (Recovery and Reform) (Scotland) Act 2022, Section 55. (See end of Document for details)

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- (ii) for “12 month period”, in both places where it occurs, substitute “period specified in section 65(1)(b)”,
- (f) for subsection (10) substitute—
  - “(10) In this section a reference to the period specified in section 65(1)(b) or section 65(4)(aa)(ii) is to be construed as including that period as extended.”.

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**Commencement Information**

**II** [S. 55](#) in force at 1.10.2022, see [s. 59\(1\)](#)

**Changes to legislation:**

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