SCOTTISH STATUTORY INSTRUMENTS

2004 No. 176 (C. 12)

CRIMINAL LAW

The Crime and Punishment (Scotland) Act 1997 (Commencement No. 6 and Savings) Order 2004

Made - - - - 2nd April 2004

The Scottish Ministers, in exercise of the powers conferred by section 65(2) and (4) of the Crime and Punishment (Scotland) Act 1997(**1**), hereby make the following Order:

Citation and interpretation

1.—(1) This Order may be cited as the Crime and Punishment (Scotland) Act 1997 (Commencement No. 6 and Savings) Order 2004.

(2) In this Order, "the 1995 Act" means the Criminal Procedure (Scotland) Act 1995(**2**).

Appointed day

2. The day appointed for the coming into force of section 13(1), (3) and (4) of the Crime and Punishment (Scotland) Act 1997 is 1st May 2004.

Savings

3. Sections 3 and 195(2) of the 1995 Act and paragraph 12 of Schedule 3 to the Criminal Procedure (Consequential Provisions) (Scotland) Act 1995(**3**) shall continue to have effect as if this Order had not been made in relation to any case where–

(a) the first diet to which the accused is cited in accordance with section 66 of the 1995 Act; or

(b) the diet in respect of which notice to appear is given to the accused in terms of section 76(1) or 81(1) of the 1995 Act,

is before 1st May 2004.

(**1**) 1997 c. 48. The functions of the Secretary of State were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c. 46).
(**2**) 1995 c. 46.
(**3**) 1995 c. 40.

St Andrew's House, Edinburgh
2nd April 2004

HUGH HENRY
Authorised to sign by the Scottish Ministers