
SCOTTISH STATUTORY INSTRUMENTS

2014 No. 162

**HIGH COURT OF JUSTICIARY
SHERIFF COURT**

**Act of Adjournal (Criminal Procedure Rules Amendment)
(Regulatory Reform (Scotland) Act 2014) 2014**

<i>Made</i>	- - - -	<i>5th June 2014</i>
<i>Laid before the Scottish Parliament</i>	- - - -	<i>6th June 2014</i>
<i>Coming into force</i>	- -	<i>30th June 2014</i>

The Lord Justice General, the Lord Justice Clerk and the Lords Commissioners of Justiciary, under and by virtue of the powers conferred on them by section 305 of the Criminal Procedure (Scotland) Act 1995(1), and all other powers enabling them in that behalf, do hereby enact and declare:

Citation, commencement etc.

1. (1) This Act of Adjournal may be cited as the Act of Adjournal (Criminal Procedure Rules Amendment) (Regulatory Reform (Scotland) Act 2014) 2014.
- (2) It comes into force on 30th June 2014.
- (3) A certified copy of this Act of Adjournal is to be inserted in the Books of Adjournal.

Amendment of the Act of Adjournal (Criminal Procedure Rules) 1996

2. (1) The Criminal Procedure Rules 1996(2) are amended in accordance with the following subparagraphs.
- (2) After Chapter 59 (Double Jeopardy (Scotland) Act 2011)(3) insert:—

(1) 1995 c.46.
(2) The Criminal Procedure Rules 1996 are contained in Schedule 2 to the Act of Adjournal (Criminal Procedure Rules) 1996 (S.I. 1996/513, last amended by S.S.I. 2013/198).
(3) Chapter 59 was inserted by S.S.I. 2011/387.

“CHAPTER 60 REGULATORY REFORM (SCOTLAND) ACT 2014

Interpretation

60.1. In this Chapter—

“the Act of 2014” means the Regulatory Reform (Scotland) Act 2014⁽⁴⁾.

“publicity order” means an order made under section 36(2) of the Act of 2014.

“remediation order” means an order made under section 41(2) of the Act of 2014.

“SEPA” means the Scottish Environment Protection Agency.

Publicity orders

60.2. A publicity order shall be in Form 60.2.

Remediation orders

60.3. A remediation order shall be in Form 60.3.

Variation of remediation order

60.4. (1) An application under section 41(5) of the Act of 2014 for the variation of a remediation order shall be made by petition in Form 60.4.

(2) On a petition referred to in paragraph (1) being lodged, the court shall—

(a) order intimation of the application to be made to the prosecutor and SEPA;

(b) appoint a hearing on the application; and

(c) order intimation of the hearing to the persons referred to in subparagraph (a), the petitioner or the petitioner’s agent, and to the governor of any institution in which the petitioner is detained.”

(3) In the appendix, at the end insert the Forms set out in the Schedule to this Act of Adjournal.

Edinburgh
5th June 2014

BRIAN GILL
Lord Justice General
I.P.D.

SCHEDULE

Paragraph 2(3)

Form 60.2

Rule 60.2

Form of publicity

PUBLICITY OR

COURT:

DATE:

OFFENDER:

Address:

[Date of birth:]

THE COURT, sentencing or otherwise dealing with the terms of section 36(2) of the Regulatory Reform (Scotland) Act 2010 (*specify*);

AND being satisfied that it is appropriate to make a public

ORDERS that by (*date*) the offender publicise in the following (*publication*) the following information (*specify in number of* *publicised*).

Form 60.3

Rule 60.3

Form of remediation order

REMEDICATION ORDER

COURT:

DATE:

OFFENDER:

Address:

[Date of birth:]

THE COURT, sentencing or otherwise dealing with the offender under section 40(1) of the Regulatory Reform (Scotland) Act 2014

AND having explained to the offender the effect of this order

ORDERS that by the end of the compliance period (*specify*

(specify in numbered paragraphs the steps to be taken by the offender to remedy the harm).

Form 60.4

Rule 60.4

Form of petition for variation of

UNTO THE RIGHT HONOURABLE THE LORD JUSTICE CLERK, and THE LORDS CO

[or **UNTO THE HONOURABLE THE SHERIFF**

AT (place)

PETITION

of

[A.B.] (address)

[or **Prisoner at the Prison**

HUMBLY SHEWETH

1. That there is annexed to this petition a copy of the
the sheriff at *(place)* *[or* by the High Court sitting

[2. That the remediation order has been varied as foll

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

EXPLANATORY NOTE

(This note is not part of the Act of Adjournal)

This Act of Adjournal amends the Criminal Procedure Rules 1996 by providing a form for publicity orders made under section 36 of the Regulatory Reform (Scotland) Act 2014.

The Act of Adjournal also provides a form for remediation orders made under section 41 of that Act, and a procedure for applications for variation of those orders.