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SCOTTISH STATUTORY INSTRUMENTS

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**2008 No. 61**

**Act of Adjournal (Criminal Procedure Rules Amendment)  
(Criminal Proceedings etc. (Reform) (Scotland) Act 2007) 2008**

**Obstructive witnesses**

4.—(1) For rule 18.3 of the Rules (warrant to apprehend witness who fails to appear) substitute—

**“Warrants for apprehension of witnesses**

**18.3.**—(1) An application made in writing for a warrant for the apprehension of a witness under section 156 or 156C of the Act of 1995 (apprehension of witnesses)(1) shall be in Form 18.3-A.

(2) On receipt of an application under paragraph (1), the clerk of court shall fix a diet for the hearing of the application and intimate the date of the hearing to the parties.

(3) A warrant for the apprehension of a witness under section 156(1) of the Act of 1995 shall be in Form 18.3-B.

**Review by witnesses of orders made under section 156A**

**18.3A.** An application under section 156C(2)(a) of the Act of 1995 (application by party for review of order under section 156A(1)(b)) shall be in Form 18.3A.

**Citation of witnesses under section 156C(5)**

**18.3B.** The citation of a witness under section 156C(5)(b) shall be in Form 18.3B.

**Appeals in respect of orders made under section 156A(1)**

**18.3C.** An appeal under section 156D(1) of the 1995 Act (appeals in respect of orders under section 156A(1))(2) shall be in Form 18.3C.”.

(2) For Form 18.3 in the appendix to the Rules substitute Forms 18.3-A, 18.3-B, 18.3A, 18.3B and 18.3C set out in the Schedule to this Act of Adjournal.

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(1) Section 156 was inserted by section 16 of the [Criminal Proceedings etc. \(Reform\) \(Scotland\) Act 2007](#) (asp 6).

(2) Section 156D was inserted by section 16 of the [Criminal Proceedings etc. \(Reform\) \(Scotland\) Act 2007](#) (asp 6).