
SCOTTISH STATUTORY INSTRUMENTS

2008 No. 61

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

Fixed penalty or compensation conditional offer by procurator fiscal

6.—(1) After Chapter 52 of the Rules (investigation of revenue and customs offences)(1) insert—

“CHAPTER 53

REVIEW OF FIXED PENALTY OR COMPENSATION
CONDITIONAL OFFERS BY PROCURATOR FISCAL

Review by court of fixed penalty or compensation conditional offers by procurator fiscal

53.1.—(1) An application for review under section 302C(6) of the Act of 1995 (recall of fixed penalty or compensation offer)(2) shall be in Form 53.1.

(2) The court may fix a diet for hearing an application mentioned in paragraph (1).

(3) Where the court fixes a diet under paragraph (2) it shall—

- (a) send a copy of the application to the prosecutor; and
- (b) intimate the diet to the parties.”.

(2) After Form 52.4-B in the appendix to the Rules(3) insert Form 53.1 set out in the Schedule to this Act of Adjournal.

(1) Chapter 52 was inserted by S.S.I. 2007/495.

(2) Section 302C was inserted by section 50 of the Criminal Proceedings etc. (Reform) (Scotland) Act 2007 (asp 6).

(3) Form 52.4-B was inserted by S.S.I. 2007/495.