
SCOTTISH STATUTORY INSTRUMENTS

2010 No. 184

**Act of Adjournal (Criminal Procedure
Rules Amendment) (Miscellaneous) 2010**

Procedure at trial in solemn proceedings

- 3.**—(1) In rule 14.1 (recording of not guilty plea) after “shall” insert “, subject to rule 14.1A,”.
(2) After rule 14.1, insert—

“Minimum number of jurors for balloting jury

14.1A.—(1) Notwithstanding section 88(1) of the Act of 1995 (plea of not guilty, balloting and swearing of jury, etc.), where there are fewer than 30 of those named on the list of jurors present in the court it shall not be competent to proceed to ballot the jury.

(2) Where it is not competent to proceed to ballot the jury the court shall make such order or orders as it thinks fit in the interests of justice.”

- (3) This paragraph shall apply only where the jury is to be balloted from a list of jurors prepared on or after 1st June 2010.