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SCHEDULE

Paragraph 2(2) and (7)

PART 1

Form 2.6-EH

Rule 2.6(5)(h)

Form of execution of citation of offender under section 227X of the Criminal Procedure (Scotland) Act 1995

EXECUTION OF CITATION

I, *(name and designation)*, on *(date)* lawfully cited *(name and address of offender)* to appear before the High Court of Justiciary [*or Sheriff or Justice of the Peace*] Court at *(address)* on *(date)* at *(time)* for the purpose of answering an allegation that he [*or she*] has failed to attend a progress review as set out in the attached written information.

This I did by posting on *(date)* a citation in Form 20.22-B to the offender at the address shown above, by the recorded delivery service [*or by (specify method by which citation effected)*].

(Signed)
Clerk of Court
[*or Officer of Law*]

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Form 2.6-EI

Rule 2.6(5)(i)

Form of execution of citation of offender under section 227ZC of the Criminal Procedure (Scotland) Act 1995

EXECUTION OF CITATION

I, *(name and designation)*, on *(date)* lawfully cited *(name and address of offender)* to appear before the High Court of Justiciary [*or Sheriff or Justice of the Peace*] Court at *(address)* on *(date)* at *(time)* for the purpose of answering an allegation that he [*or she*] has failed to comply with a requirement of a community payback order as set out in the attached written information.

This I did by posting on *(date)* a citation in Form 20.22-D to the offender at the address shown above, by the recorded delivery service [*or by (specify method by which citation effected)*].

(Signed)
Clerk of Court
[*or Officer of Law*]

Form 20.22-A

Rule 20.22(1)

Form of community payback order under section 227A of the Criminal Procedure (Scotland) Act 1995

COMMUNITY PAYBACK ORDER

under section 227A of the Criminal Procedure (Scotland) Act 1995

Court:

Date:

Offender:

Address:

Date of birth:

THE COURT, having convicted the offender of an offence in respect of which a community payback order may be imposed and considering it appropriate to impose such an order in respect of that offence;

AND the court having explained to the offender, in ordinary language, the purpose and effect of each of the requirements to be imposed by the order and the consequences which may follow if he or she fails to comply with any of those requirements [*and* where provision is made under section 227X for it to be reviewed, the arrangements for such a review];

AND the offender, having confirmed that he or she understands the requirements to be imposed by the order, being willing to comply with those requirements;

MAKES a community payback order imposing the following requirements on the offender, namely—

(*specify*);

AND requires the local authority in which the offender resides [*or is to reside*] for the duration of the order to nominate, within two days of it receiving a copy of this order, a responsible officer for the purposes of the order under section 227C;

AND requires the offender to comply with any instructions given by the responsible officer in that capacity.

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Form 20.22-B

Rule 20.22(2)

Form of citation of offender under section 227X of the Criminal Procedure (Scotland)
Act 1995

IN THE HIGH COURT OF JUSTICIARY
[or IN THE SHERIFF [or JUSTICE OF THE PEACE] COURT]
AT (*place*)

CITATION

To: (*name and address of offender*)

Date of citation: (*date of citation or, if citation by post, the day after the date of posting*)

YOU ARE HEREBY CITED to appear on (*date*) at (*time*) in the High Court of Justiciary [or Sheriff [or Justice of the Peace] Court] at (*address*) because it has been reported to the court that you have failed to attend a progress review as alleged in the written information attached.

IF YOU DO NOT ATTEND COURT WITHOUT A LAWFUL EXCUSE THE COURT MAY ORDER THAT YOU BE APPREHENDED AND PUNISHED.

(*Signed*)

Clerk of Court

Form 20.22-C

Rule 20.22(3)

Form of application under section 227Y of the Criminal Procedure (Scotland) Act
1995

UNTO THE RIGHT HONOURABLE THE LORD JUSTICE GENERAL, LORD
JUSTICE-CLERK AND LORDS COMMISSIONERS OF JUSTICIARY

[or UNTO THE HONOURABLE THE SHERIFF
OF (*name of sheriffdom*) AT (*place*)]

[or UNTO THE JUSTICES in the JUSTICES OF THE PEACE COURT
OF (*name of district*) AT (*place*)]

APPLICATION

by

(*specify offender*) [*or (specify responsible officer)*]
(*address*)

APPLICANT

HUMBLY SHEWETH:

1. That a community payback order was made against (*specify offender*) on (*date*) in the High Court of Justiciary sitting [*or in the sheriff court*] [*or in the justice of the peace court*] at (*place*) on (*date*) in terms of the order annexed hereto,
2. That the applicant applies to the court in terms of section 227Y of the Act of 1995 to vary [*or revoke*] [*or discharge*] the order for the following reasons:—

(*here state reasons*).

MAY IT THEREFORE PLEASE YOUR LORDSHIP[S] [OR THE COURT]:

- (a) to [vary the order (*state terms of variation sought*)] [*revoke the order*] [*discharge the order*];
- (b) or to do otherwise as to your Lordship[s] [*or to the court*] shall seem proper.

IN RESPECT WHEREOF

(*Signed*)

Applicant (*or agent for the applicant*)

Note:

You must notify the clerk of court within 14 days of the receipt of this application whether or not you intend to oppose it. Failure so to notify will result in the court disposing of the matter in your absence.

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Form 20.22-D

Rule 20.22(4)

Form of citation of offender under section 227ZC of the Criminal Procedure
(Scotland) Act 1995

IN THE HIGH COURT OF JUSTICIARY
[or IN THE SHERIFF [or JUSTICE OF THE PEACE] COURT]
AT (*place*)

CITATION

To: (*name and address of offender*)

Date of citation: (*date of citation or, if citation by post, the day after the date of posting*)

YOU ARE HEREBY CITED to appear on (*date*) at (*time*) in the High Court of Justiciary [or Sheriff [or Justice of the Peace] Court] at (*address*) because it has been reported to the court that you have failed to comply with a requirement of your community payback order as alleged in the written information attached.

IF YOU DO NOT ATTEND COURT WITHOUT A LAWFUL EXCUSE THE COURT MAY ORDER THAT YOU BE APPREHENDED AND PUNISHED.

(*Signed*)

Clerk of Court