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SCHEDULE

Paragraph 3(2)

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PART 1

Form 17A.1-A

Rule 17A.1(1)(a)

Application for transfer of proceedings under section 137A(1) [or 137CA(2)] of the Criminal Procedure (Scotland) Act 1995

UNTO THE HONOURABLE THE SHERIFF OF *(name of sheriffdom)* [or UNTO THE JUSTICES in the JUSTICE OF THE PEACE COURT OF *(name of sheriffdom)*]

AT *(place)*

APPLICATION

under section 137A(1) [or 137CA(2)] of the Criminal Procedure (Scotland) Act 1995

by

THE PROCURATOR FISCAL *(place)*

HUMBLY SHEWETH:

1. That [A.B.] has been cited in summary proceedings to attend at the sheriff court [or JP court] of *(place)* on *(date)* [or That summary proceedings against [A.B.] were commenced in the sheriff court [or JP court] of *(place)* on *(date)*].
2. That the applicant seeks to transfer the proceedings to the sheriff court [or JP court] of *(place)* for the following reasons: *(here narrate reasons)*.

MAY IT THEREFORE PLEASE YOUR LORDSHIP [OR THE COURT]—

- (a) under section 137A(2) [or 137CA(3)] of the Criminal Procedure (Scotland) Act 1995 to order that the said proceedings be transferred to the sheriff court [or JP court] of *(place)*;
- (b) to adjourn said proceedings to a diet of the sheriff court [or JP court] of *(place)* on *(date)* at *(time)*;
- (c) where any future diet has been fixed in the sheriff court [or JP court] of *(place)* to discharge that diet;
- (d) to order that the accused be cited or ordained to appear as appropriate; and
- (e) where appropriate, to order intimation of the change of diet to the accused.

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IN RESPECT WHEREOF

(Signed)

Procurator Fiscal

(Name, place and date)

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Form 17A.1-B

Rule 17A.1(1)(b)

Application for transfer of proceedings under section 137B(1) [or 137CB(2)] of the Criminal Procedure (Scotland) Act 1995

UNTO THE HONOURABLE THE SHERIFF PRINCIPAL OF (*name of sheriffdom*)

AT (*place*)

APPLICATION

under section 137B(1) [or 137CB(2)] of the Criminal Procedure (Scotland) Act 1995

by

THE PROCURATOR FISCAL (*place*)

HUMBLY SHEWETH:

1. That the sheriff clerk [or clerk of the JP court] at (*place*) has informed the applicant that, because of exceptional circumstances which could not reasonably have been foreseen, it is not practicable for the sheriff court [or JP court] of (*place*) or any other sheriff court [or JP court] in the sheriffdom of (*place*) to proceed with the summary cases listed in the attached annex due to call at the sheriff court [or JP court] of (*place*) on (*date*).
2. That the applicant seeks an order transferring the summary proceedings listed in the attached annex to the sheriff court [or JP court] of (*place*) in the sheriffdom of (*place*) for the following reasons: (*here narrate reasons*).
3. That the sheriff principal of (*place*) consents to this application.

MAY IT THEREFORE PLEASE YOUR LORDSHIP—

- (a) under section 137B(2) [or 137CB(7)] of the Criminal Procedure (Scotland) Act 1995 and with the consent of the sheriff principal of (*place*) to order that the summary proceedings listed in the attached annex be transferred to the sheriff court [or JP court] of (*place*) in the sheriffdom of (*place*);
- (b) to adjourn said proceedings to a diet of the sheriff court [or JP court] of (*place*) on (*date*) at (*time*);
- (c) to discharge any future diet(s) in the sheriff court [or JP court] of (*place*);
- (d) to order that the accused be cited or ordained to appear as appropriate; and
- (e) where appropriate, to order intimation of the change of diet to the accused.

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IN RESPECT WHEREOF

(Signed)

Procurator Fiscal

(Name, place and date)

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Form 17A.1-C

Rule 17A.1(1)(c)

Application for transfer of proceedings under section 137B(1A) [or 137CB(4)] of the Criminal Procedure (Scotland) Act 1995

UNTO THE HONOURABLE THE SHERIFF OF *(name of sheriffdom)* [or UNTO THE JUSTICES in the JUSTICE OF THE PEACE COURT OF *(name of sheriffdom)*]

AT *(place)*

APPLICATION

under section 137B(1A) [or 137CB(4)] of the Criminal Procedure (Scotland) Act 1995

by

THE PROCURATOR FISCAL *(place)*

HUMBLY SHEWETH:

1. That [A.B.] has been cited in summary proceedings to attend at the sheriff court [or JP court] of *(place)* on *(date)* [or That summary proceedings against [A.B.] were commenced at the sheriff court [or JP court] of *(place)* on *(date)*].
2. That there are also summary proceedings against [A.B.] in the sheriff court [or JP court] of *(place)* in the sheriffdom of *(place)*.
3. That it would be expedient for the different cases involved to be dealt with by the same court for the following reasons: *(here narrate reasons)*.
4. That the Sheriff *(or Justice)* *(name)* of the sheriffdom of *(place)* consents to this application.

MAY IT THEREFORE PLEASE YOUR LORDSHIP [OR THE COURT]—

- (a) under section 137B(2A) [or 137CB(8)] of the Criminal Procedure (Scotland) Act 1995 and with the consent of the Sheriff *(or Justice)* *(name)* of the sheriffdom of *(place)* to order that the summary proceedings against [A.B.] be transferred from the sheriff court [or JP court] of *(place)* to the sheriff court [or JP court] of *(place)* in the sheriffdom of *(place)*;
- (b) to adjourn said proceedings to a diet of the sheriff court [or JP court] of *(place)* on *(date)* at *(time)*;
- (c) where any future diet has been fixed in the sheriff court [or JP court] of *(place)* to discharge that diet;
- (d) to order that the accused be cited or ordained to appear as appropriate; and
- (e) where appropriate, to order intimation of the change of diet to the accused.

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IN RESPECT WHEREOF

(Signed)

Procurator Fiscal

(Name, place and date)

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Form 17A.1-D

Rule 17A.1(1)(d)

Application for transfer of proceedings under section 137B(1C) [or 137CB(6)] of the Criminal Procedure (Scotland) Act 1995

UNTO THE HONOURABLE THE SHERIFF OF *(name of sheriffdom)* [or UNTO THE JUSTICES in the JUSTICE OF THE PEACE COURT OF *(name of sheriffdom)*]

AT *(place)*

APPLICATION

under section 137B(1C) [or 137CB(6)] of the Criminal Procedure (Scotland) Act 1995

by

THE PROCURATOR FISCAL *(place)*

HUMBLY SHEWETH:

1. That the Applicant intends to take summary proceedings against [A.B.] in the sheriff court [or JP court] of *(place)*.
2. That there are also summary proceedings against [A.B.] in the sheriff court [or JP court] of *(place)* in the sheriffdom of *(place)*.
3. That it would be expedient for the different cases involved to be dealt with by the same court for the following reasons: *(here narrate reasons)*.
4. That the Sheriff *(or Justice)* *(name)* of the sheriffdom of *(place)* consents to this application.

MAY IT THEREFORE PLEASE YOUR LORDSHIP [OR THE COURT]—

under section 137B(2A) [or 137CB(8)] of the Criminal Procedure (Scotland) Act 1995 and with the consent of the Sheriff *(or Justice)* *(name)* of the sheriffdom of *(place)* to grant authority that the said intended summary proceedings against [A.B.] be taken at the sheriff court [or JP court] of *(place)* in the sheriffdom of *(place)* at *(time)*;

IN RESPECT WHEREOF

(Signed)

Procurator Fiscal

(Name, place and date)

Form 17A.1-E

Rule 17A.1(1)(e)

Application for revocation or variation of order under section 137B(3) [or 137CB(9)] of the Criminal Procedure (Scotland) Act 1995

UNTO THE HONOURABLE THE SHERIFF PRINCIPAL OF (*name of sheriffdom*)

AT (*place*)

APPLICATION

under section 137B(3) [or 137CB(9)] of the Criminal Procedure (Scotland) Act 1995

by

THE PROCURATOR FISCAL (*place*)

HUMBLY SHEWETH:

1. That on (*date of order*) your Lordship made an order under section 137B(2) [or 137CB(7)] of the Criminal Procedure (Scotland) Act 1995 transferring the summary proceedings listed in the attached annex to the sheriff court [or JP court] of (*place*) and did adjourn said proceedings to a diet of that court on (*date*) at (*time*).
2. That the applicant seeks to revoke [or vary] that order for the following reasons: (*here narrate circumstances justifying revocation or variation of order and narrate variation sought*).
3. That the sheriff principal of (*place*) consents to this application.

MAY IT THEREFORE PLEASE YOUR LORDSHIP—

- (a) under section 137B(3) [or 137CB(9)] of the Criminal Procedure (Scotland) Act 1995 and with the consent of the sheriff principal of (*place*) to revoke [or vary] said order made on (*date*); and
- (b) to order that the summary proceedings listed in the attached annex be transferred or further adjourned to the sheriff court [or JP court] of (*place*) in the sheriffdom of (*place*) at (*time*);
- (c) where any future diet has been fixed to discharge that diet;
- (d) to order that the accused be cited or ordained to appear as appropriate; and
- (e) where appropriate, to order intimation of the change of diet to the accused.

IN RESPECT WHEREOF

(*Signed*)

Procurator Fiscal

(*Name, place and date*)

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Form 17A.1-F

Rule 17A.1(1)(f)

Application for revocation or variation of order under section 137B(4) [or 137CB(10)] of the Criminal Procedure (Scotland) Act 1995

UNTO THE HONOURABLE THE SHERIFF OF *(name of sheriffdom)* [or UNTO THE JUSTICES in the JUSTICE OF THE PEACE COURT OF *(name of sheriffdom)*]

AT *(place)*

APPLICATION

under section 137B(4) [or 137CB(10)] of the Criminal Procedure (Scotland) Act 1995

by

THE PROCURATOR FISCAL *(place)*

HUMBLY SHEWETH:

1. That on *(date)* your Lordship [or Honour] made an order with the consent of Sheriff [or Justice] *(name)* of the sheriffdom of *(place)* under section 137B(2A) [or 137CB(8)] of the Criminal Procedure (Scotland) Act 1995 transferring summary proceedings against [A.B.] in the sheriff court [or JP court] of *(place)* to the sheriff court [or JP court] of *(place)* in the sheriffdom of *(place)* and did adjourn said proceedings to a diet of that court on *(date)* [or That on *(date)* your Lordship [or Honour] made an order with the consent of Sheriff [or Justice] *(name)* of the sheriffdom of *(place)* under section 137B(2A) [or 137CB(8)] of the Criminal Procedure (Scotland) Act 1995 for authority for summary proceedings against [A.B.] to be taken at the sheriff court [or JP court] of *(place)* in the sheriffdom of *(place)*].
2. That the applicant seeks to revoke [or vary] that order for the following reasons: *(here narrate circumstances justifying revocation or variation of order and narrate variation sought)*.
3. That the Sheriff [or Justice] *(name)* of the sheriffdom of *(place)* consents to this application.

MAY IT THEREFORE PLEASE YOUR LORDSHIP [OR THE COURT]—

- (a) under section 137B(4) [or 137CB(10)] of the Criminal Procedure (Scotland) Act 1995 and with the consent of the Sheriff [or Justice] *(name)* of the sheriffdom of *(place)* to revoke [or vary] said order made on *(date)*;
- (b) to order that the summary proceedings be transferred or further adjourned to the sheriff court [or JP court] of *(place)* in the sheriffdom of *(place)* at *(time)*;
- (c) where any future diet has been fixed to discharge that diet;
- (d) to order that the accused be cited or ordained to appear as appropriate; and
- (e) where appropriate, to order intimation of the change of diet to the accused.

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IN RESPECT WHEREOF

(Signed)

Procurator Fiscal

(Name, place and date)

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Form 17A.1-G

Rule 17A.1(1)(g)

Application for transfer of summary custody proceedings under section 137C(1) [or 137CC(2)] of the Criminal Procedure (Scotland) Act 1995

UNTO THE HONOURABLE THE SHERIFF PRINCIPAL OF *(name of sheriffdom)*

APPLICATION

under section 137C(1) [or 137CC(2)] of the Criminal Procedure (Scotland) Act 1995

by

THE PROCURATOR FISCAL *(place)*

HUMBLY SHEWETH:

1. That because of the following exceptional circumstances it is likely that there would be an unusually high number of accused persons appearing from custody for the first calling of cases in summary prosecutions in the sheriff courts [or JP courts] in the sheriffdom of *(place)*: *(here narrate circumstances with reference, if appropriate, to a particular period)*.
2. That it would not be practicable for those courts to deal with all the cases involved.
3. That the sheriff principal of *(place)* consents to this application.

MAY IT THEREFORE PLEASE YOUR LORDSHIP—

- (a) under section 137C(3) [or 137CC(3)] of the Criminal Procedure (Scotland) Act 1995 and with the consent of the sheriff principal of *(place)* to order that no more than *(insert number of diets)* will call in the sheriff court [or JP court] of *(place)* in the sheriffdom of *(place)* and that all other of the summary proceedings against persons appearing from custody which would ordinarily call in the sheriff courts [or JP courts] in the sheriffdom of *(place)* be taken at the sheriff court [or JP court] of *(place)* and then maintained there [or at any sheriff court [or JP court] within the sheriffdom of *(place)* as may at the first calling of the case be appointed for further proceedings];
- (b) to order that the accused be cited or ordained to appear as appropriate to the court where the case is to call;
- (c) where appropriate, to order intimation of the change of diet to the accused; and
- (d) *(here specify, if appropriate, particular period or particular circumstances for which order is to have effect)*.

IN RESPECT WHEREOF

(Signed)

Procurator Fiscal

(Name, place and date)

Paragraph 4(2)

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PART 2

Form 22A.1

Rule 22A.1

Form of witness anonymity order application under section 271P 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 JUSTICE OF THE PEACE COURT
OF *(name of sheriffdom)* AT *(place)*]

APPLICATION

by

(name)

(address)

APPLICANT

Prosecution reference:

Court reference:

HUMBLY SHEWETH, that:

1. [A.B.], [along with name(s) of co-accused] has been indicted at the instance of Her Majesty's Advocate [or has been charged in a summary complaint at the instance of the procurator fiscal].
2. The applicant has cited or intends to cite a witness in these proceedings and, having regard to the conditions provided for by section 271R of the Act of 1995, considers it necessary to apply to the court for a witness anonymity order in respect of the witness.
3. The applicant seeks a witness anonymity order in terms of section 271N of the Act of 1995 (*here specify any particular measures sought in the order*).

MAY IT THEREFORE PLEASE YOUR LORDSHIP[S] [OR THE COURT] to determine this application in accordance with section 271Q of the Act of 1995.

IN RESPECT WHEREOF

(Signed)

Applicant *(or agent for the applicant)*

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Form 22A.2

Rule 22A.2

Form of notice of application for witness anonymity order in summary proceedings under section 271Q(2) of the Criminal Procedure (Scotland) Act 1995

Prosecution reference:

Court reference:

TAKE NOTICE:

That in the proceedings: (*specify*)

The procurator fiscal [*or the accused*] intends to make an application to the court under section 271P of the Act of 1995 for a witness anonymity order under section 271N of the Act of 1995 prior to the intermediate diet [*or trial diet*].

(*Signed*)

Procurator Fiscal
[*or Accused [or legal representative of accused]*]
(*address and telephone number*)

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Form 22A.3

Rule 22A.3(b)

Form of application for discharge or variation of witness anonymity order under section 271U(3)(a) 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 JUSTICE OF THE PEACE COURT
OF (*name of sheriffdom*) AT (*place*)]

APPLICATION

by

(*name*)

(*address*)

APPLICANT

Prosecution reference:

Court reference:

HUMBLY SHEWETH, that:

1. On (*date*) the High Court [*or Sheriff*] [*or Justices*] at (*place*) made a witness anonymity order under section 271N of the Act of 1995 in the proceedings (*specify*).
2. The applicant seeks the discharge [*or variation*] [*or further variation*] of the order for the following reasons: (*here state the material change in circumstances since the order was made or previous application to discharge or vary the order was considered*).

MAY IT THEREFORE PLEASE YOUR LORDSHIP[S] [*OR THE COURT*] to fix a hearing to consider this application.

IN RESPECT WHEREOF

(*Signed*)

Applicant (*or agent for the applicant*)

Paragraph 6(2)

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PART 3

Form 56.3

Rule 56.3(2)

Form of application for variation or revocation of an order made under section 4(2) of the Contempt of Court Act 1981

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 sheriffdom*) AT (*place*)]

APPLICATION

by

(*name*)

(*address*)

APPLICANT

HUMBLY SHEWETH, that:

1. On (*date*) the High Court [or Sheriff] [or Justices] at (*place*) made an order under section 4(2) of the Contempt of Court Act 1981 in the proceedings (*name of case and court reference if known*).
2. The applicant seeks the variation or revocation of the order for the following reasons:- (*here state reasons*)

MAY IT THEREFORE PLEASE YOUR LORDSHIP[S] [OR THE COURT] to fix a hearing to consider this application.

IN RESPECT WHEREOF

(*Signed*)

Applicant [or legal representative
of the applicant]

(*address, e-mail address and
telephone number*)

Note:

If a hearing is not required within 48 hours of the application being lodged specify this in the application.

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Form 58.2

Rule 58.2(2)

Form of application for discharge of disqualification under section 11(3) of the Control of Dogs (Scotland) Act 2010

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 JUSTICE OF THE PEACE COURT
OF (*name of sheriffdom*) AT (*place*)]

APPLICATION

by

(*name*)

(*address*)

APPLICANT

HUMBLY SHEWETH, that:

1. On (*date*) the High Court [*or Sheriff*] [*or Justices*] at (*place*) convicted the applicant of an offence under section 5(1) of the Control of Dogs (Scotland) Act 2010.
2. The court ordered the applicant be disqualified from owning or keeping a dog for a period of (*specify*).
3. It has been, at least, one year since the disqualification was imposed.
4. The applicant seeks to have the disqualification discharged for the following reasons:- (*here state reasons*)

MAY IT THEREFORE PLEASE YOUR LORDSHIP[S] [OR THE COURT] to fix a hearing to consider this application.

IN RESPECT WHEREOF

(*Signed*)

Applicant (*or agent for the applicant*)

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Form 58.3

Rule 58.3

Form of appeal under section 11(4) of the Control of Dogs (Scotland) Act 2010

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

NOTE OF APPEAL

by

(specify)

(address)

APPLICANT

HUMBLY SHEWETH, that:

1. On *(date)* the High Court [*or Sheriff*] [*or Justices*] at *(place)* declined to discharge the disqualification it imposed on the applicant, under section 5(2)(a) of the Control of Dogs (Scotland) Act 2010, on *(date)*.
2. The applicant appeals against that decision on the following grounds:- *(specify)*

ACCORDING TO JUSTICE, ETC.

(Signed)

Applicant *(or agent for the applicant)*