

2015 No. 375

HIGH COURT OF JUSTICIARY

SHERIFF COURT

JUSTICE OF THE PEACE COURT

**Act of Adjournal (Criminal Procedure Rules 1996 Amendment)
(No. 5) (Request for Final Decision and Reasons) 2015**

Made - - - - - *2nd November 2015*

Laid before the Scottish Parliament *4th November 2015*

Coming into force - - - *2nd December 2015*

The High Court of Justiciary makes this Act of Adjournal under the powers conferred by section 305 of the Criminal Procedure (Scotland) Act 1995^(a) and all other powers enabling it to do so.

Citation and commencement, etc.

1.—(1) This Act of Adjournal may be cited as the Act of Adjournal (Criminal Procedure Rules 1996 Amendment) (No. 5) (Request for Final Decision and Reasons) 2015.

(2) It comes into force on 2nd December 2015.

(3) A certified copy is to be inserted in the Books of Adjournal.

Amendment of the Criminal Procedure Rules 1996

2.—(1) The Criminal Procedure Rules 1996^(b) are amended in accordance with this paragraph.

(2) After Chapter 61 (European Protection Orders)^(c) insert—

^(a) 1995 c.46.

^(b) The Criminal Procedure Rules 1996 are in Schedule 2 to the Act of Adjournal (Criminal Procedure Rules) 1996 (S.I. 1996/513), last amended by S.S.I. 2015/245.

^(c) Chapter 61 was inserted by S.S.I. 2015/121.

“CHAPTER 62
REQUEST FOR FINAL DECISION AND REASONS

Application and interpretation of this Chapter

62.1.—(1) This Chapter applies where a request for qualifying information which falls within section 6(7)(j) of the Victims and Witnesses (Scotland) Act 2014^(a) is made to the Scottish Courts and Tribunals Service.

(2) In this Chapter “qualifying information” has the meaning given by section 6(6) of the Victims and Witnesses (Scotland) Act 2014.

Form in which information to be provided

62.2.—(1) The clerk of the relevant court is to complete Part 1 of Form 62.2.

(2) Where the information requested includes a request for any reasons for a final decision, the presiding judge is to complete Part 2 of Form 62.2.

(3) When Form 62.2 is completed, the clerk is to give it to the Scottish Courts and Tribunals Service.”.

(3) In the Appendix, after Form 61.7-B (form of information regarding modification or revocation of a non-harassment order under section 254D of the Criminal Procedure (Scotland) Act 1995)^(b) insert the form set out in the Schedule to this Act of Adjournal.

CJM SUTHERLAND
Lord Justice Clerk
I.P.D.

Edinburgh
2nd November 2015

(a) 2014 asp 1.
(b) Form 61.7-B was inserted by S.S.I. 2015/121.

SCHEDULE 1

Paragraph 2(3)

Rule 62.(2)

Form 62.2

Request for final decision and reasons

PART 1

Case name:

Case number:

Category of requester:

Presiding judge:

Date of final decision:

Final decision:

PART 2

Reasons for final decision

(to be completed by presiding judge)

EXPLANATORY NOTE

(This note is not part of the Act of Adjournal)

This Act of Adjournal inserts a new Chapter 62 into the Criminal Procedure Rules 1996. Chapter 62 applies where a request is made to the Scottish Courts and Tribunals Service for certain information in accordance with section 6 of the Victims and Witnesses (Scotland) Act 2014. It prescribes the form in which that information is to be provided.

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