
SCOTTISH STATUTORY INSTRUMENTS

2017 No. 298

**Act of Adjournal (Criminal Procedure Rules 1996 Amendment)
(No. 4) (Publicity, Remedial and Remediation Orders) 2017**

Amendment of the Criminal Procedure Rules 1996

- 2.—(1) The Criminal Procedure Rules 1996⁽¹⁾ are amended in accordance with this paragraph.
- (2) In Chapter 60 (Regulatory Reform (Scotland) Act 2014)⁽²⁾—
- (a) for the Chapter title substitute “PUBLICITY, REMEDIAL AND REMEDIATION ORDERS”;
 - (b) in rule 60.1 (interpretation)—
 - (i) after the definition of “the Act of 2014” insert—

““the Act of 2016” means the Health (Tobacco, Nicotine etc. and Care) (Scotland) Act 2016”⁽³⁾;
 - (ii) in the definition of “publicity order”, after “2014” insert “or an order made under section 30(4) of the Act of 2016”; and
 - (iii) after definition of “publicity order” insert—

““remedial order” means an order made under section 30(3) of the Act of 2016.”;
 - (c) in rule 60.3 (remediation orders)—
 - (i) for the cross-heading substitute “**Remedial and Remediation Orders**”; and
 - (ii) before “remediation” insert “remedial order or”.
 - (d) in rule 60.4 (variation of remediation order)
 - (i) for the cross-heading substitute “**Variation of orders**”;
 - (ii) for paragraph (1) substitute—

“(1) An application for the variation of—
 - (a) a publicity order under section 30(8) of the Act of 2016;
 - (b) a remedial order; or
 - (c) a remediation order;shall be made by petition in Form 60.4.”; and
 - (e) in paragraph (2)(a), for “and SEPA” substitute “and, in the case of an application under section 41(5) of the Act of 2014, to SEPA”.
- (3) In the Appendix—
- (a) in Form 60.2 (form of publicity order)⁽⁴⁾—

(1) The Criminal Procedure Rules, 1996 are in schedule 2 of the Act of Adjournal (Criminal Procedure Rules) 1996 (S.I. 1996/513, last amended by S.S.I. 2017/251).

(2) Chapter 60 was inserted by S.S.I. 2014/162.

(3) 2016 asp 14.

(4) Form 60.2 was inserted by S.S.I. 2014/162.

- (i) for “section 36(2) of the Regulatory Reform (Scotland) Act 2014” substitute “[*here insert relevant statutory provision*]”; and
 - (ii) where it second occurs, for “SEPA” substitute “[SEPA]”;
- (b) in Form 60.3 (form of remediation order)(**5**)—
- (i) in the title for “**remediation order**” substitute “**remedial order or remediation order**”;
 - (ii) in the heading for “REMEDICATION ORDER” substitute “REMEDIAL ORDER *or* REMEDIATION ORDER”;
 - (iii) for “section 40(1) of the Regulatory Reform (Scotland) Act 2014” substitute “[*here insert relevant statutory provision*]”; and
 - (iv) for “SEPA” substitute “[SEPA]”; and
- (c) in Form 60.4 (form of petition for variation of remediation order)(**6**)—
- (i) in the title for “**Form of petition for variation of remediation order**” substitute “**Form of petition for variation of orders under rule 60.4**”;
 - (ii) each time it occurs, for “remediation order” substitute “publicity order [*or* remedial order] [*or* remediation order]”.

(5) Form 60.3 was inserted by [S.S.I. 2014/162](#).

(6) Form 60.4 was inserted by [S.S.I. 2014/162](#).