
EXPLANATORY NOTE

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

This Act of Sederunt amends the Act of Sederunt (Summary Applications, Statutory Applications and Appeals etc. Rules) 1999 (“the Summary Application Rules”) in consequence of the Drug Dealing Telecommunications Restrictions Orders Regulations 2017 (“the 2017 Regulations”).

Paragraph 2(2) inserts new rules 3.51.1 and 3.51.2 into the Summary Application Rules to make provision for applications for drug dealing telecommunications restriction orders (“DDTROs”), and for the variation, extension or discharge of such orders, under the 2017 Regulations. Regulation 4 of the 2017 Regulations provides that an application for DDTROs must be made and heard without notice being given to an affected person or their legal representative, and heard and determined in their absence. An appeal lies to the Sheriff Appeal Court.

Paragraph 3 inserts new Forms 73, 74 and 75. An application for a DDTRO is to be made by summary application in Form 73, a DDTRO is to be made in Form 74, and an application for discharge, extension or variation is to be made by application in the process in Form 75.