

SCHEDULE

Paragraph 3

Rule 3.51.2(1)(a)

Form 73

Form of application for a drug dealing telecommunications restriction order under regulation 3 of the Drug Dealing Telecommunications Restriction Orders Regulations 2017

SHERIFFDOM OF *(insert name of sheriffdom)*

Court ref. no.

AT *(insert place of sheriff court)*

APPLICATION FOR A DRUG DEALING TELECOMMUNICATIONS RESTRICTION ORDER UNDER REGULATION 3 OF THE DRUG DEALING TELECOMMUNICATIONS RESTRICTION ORDERS REGULATIONS 2017

in the cause

[A.B.] *(insert designation and address)*

Applicant

Against

[C.D.] *(insert designation and address)*

Respondent

Order sought from the court

The applicant applies to the court for an order under regulation 3 of the Drug Dealing Telecommunications Restriction Orders Regulations 2017 to prevent or restrict the use in connection with drug dealing offences of the relevant item(s) listed in the schedule to this application.

Statement

1. This application is made under regulation 3 of the Drug Dealing Telecommunications Restriction Orders Regulations 2017.
2. The applicant is *[design the applicant]*.
3. *[Specify ground of jurisdiction, and the facts upon which the ground of jurisdiction is based]*. This court accordingly has jurisdiction.

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4. The respondent is *[insert name and address of affected person, where that person is the communications provider for the purposes of this application, and (if known) the name and address of any other affected person or, if not known, the fact that that person's whereabouts are unknown and the steps taken to ascertain that person's whereabouts]*.
5. The applicant is satisfied that the relevant item(s) listed in the schedule to this application *[has/have been, or is/are likely to have been, used] or [is/are likely to be used in the future] (delete as appropriate)* in connection with drug dealing offences; and has reasonable grounds to believe that the order would prevent or restrict the use of a communication device in connection with drug dealing offences.
6. *[Specify the grounds upon which the order is sought and the relevant facts supporting those grounds.]*
7. The applicant seeks an order, in respect of the item(s) listed in the schedule which will *[specify the terms of the order sought, under reference to the item(s) listed]* and which will require to be complied with by *[specify time]* on *[specify date]*, or some other time and date as the court considers reasonable. The time and date suggested by the applicant are in all the circumstances reasonable.
8. The applicant requests the court to include in the order a provision to the effect that the applicant and a communications provider who is subject to the order may agree a date and time, at which the requirements of the order must be complied with, that is earlier than the date and time specified in the order.

Date *(insert date)*

(Signed)

Applicant

[or Solicitor for Applicant] [add designation and business address]

Rule 3.51.2(2)

Form 74

Form of a drug dealing telecommunication restriction order (“DDTRO”) under the Drug Dealing Telecommunications Restriction Orders Regulations 2017

SHERIFFDOM OF *(insert name of sheriffdom)*

Court ref. no.

AT *(insert place of sheriff court)*

The sheriff, having considered an application for an order under regulation 3 of the Drug Dealing Telecommunications Restriction Orders Regulations 2017 for a drug dealing telecommunications restriction order (“DDTRO”) to prevent or restrict the use in connection with drug dealing offences of the relevant item(s) listed in the schedule to this application, and being satisfied that such an order should be made:

- (i) make an order, in respect of the item(s) listed in the schedule to the application, that *[specify the terms of the order granted, under reference to the relevant item(s) listed]* which order is to be complied with by *[specify time]* on *[specify date]*;
- (ii) directs notification of this order to C.D. *(specify the identity of the communications provider who is subject to this order)* by *(specify means of notification)*;
- (iii) further orders that the applicant and C.D. *(specify the identity of the communications provider who is subject to this order)* may agree a date and time at which the requirements of the order must be complied with that is earlier than the date and time specified in paragraph (i) of this order; and
- (iv) directs the applicant to take reasonable steps to bring the making of the DDTRO to the attention of any affected person of whom the applicant is aware other than the communications provider.

Date *(insert date)*

(Signed)

Sheriff

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Rule 3.51.2(3)

Form 75

Form of application for the discharge, extension or variation of a drug dealing telecommunications restriction order under regulation 10 of the Drug Dealing Telecommunications Restriction Orders Regulations 2017

SHERIFFDOM OF *(insert name of sheriffdom)*

Court ref. no.

AT *(insert place of sheriff court)*

APPLICATION

by

[Specify designation and address of applicant]

FOR [DISCHARGE *or* EXTENSION *or* VARIATION] *(as the case may be)* OF A DRUG DEALING TELECOMMUNICATIONS RESTRICTION ORDER UNDER REGULATION 10 OF THE DRUG DEALING TELECOMMUNICATIONS RESTRICTION ORDERS REGULATIONS 2017

in the cause

[A.B.] *(insert designation and address)*

Applicant

against

[C.D.] *(insert designation and address)*

Respondent

Order sought from the court

The applicant applies to the court for [discharge *or* extension *or* variation] *(as the case may be)* of an order under regulation 3 of the Drug Dealing Telecommunications Restriction Orders Regulations 2017 made by the court on *(specify date)*.

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Statement

1. This application is made by [*specify whether the application is made by the applicant or respondent in the original application, or by any other affected person*]. It is made under regulation 10 of the Drug Dealing Telecommunications Restriction Orders Regulations 2017. The order made by the court on (*specify date*) provides that (*specify the terms of the order*).
2. The applicant seeks to discharge the terms of the order. [*OR (where the applicant seeks to extend or vary the terms of the order) The applicant seeks to [extend or vary] the terms of the order (as the case may be) by (specify the terms of the extension or variation sought).*]
3. The applicant seeks such [a discharge *or* extension *or* variation] of the order on the grounds that [*specify the grounds upon which the order is sought and the relevant facts supporting those grounds.*]

Date (*insert date*)

(*Signed*)

Applicant

[*or Solicitor for Applicant*] [*add designation and business address*]