

## SCHEDULES

### SCHEDULE 3

Section 21.

#### JURISDICTION AND PROCEDURE ON APPLICATION UNDER SECTION 21(6)

##### PART I

###### APPLICATION TO QUARTER SESSIONS (ENGLAND AND WALES)

- 1 The application shall be made to the court of quarter sessions having jurisdiction in the place where the applicant resides.
- 2 Notice of the application, signed by the applicant or by his agent on his behalf and stating the general grounds of the application, shall be given by him to the clerk of the peace and also to the chief officer of police for the area in which the applicant resides.
- 3 On receiving notice of the application the clerk of the peace shall enter the application and give notice to the applicant, and to the chief officer of police to whom the notice of the application is required by paragraph 2 of this Schedule to be given, of the date, time and place fixed for the hearing; but the date shall not be less than twenty-one clear days after the date when the clerk of the peace received the notice of the application.
- 4 The applicant may at any time, not less than two clear days before the date fixed for the hearing, abandon his application by giving notice in writing to the clerk of the peace and to the chief officer of police; and if he does so the court of quarter sessions (hereafter in this Schedule referred to as " the court ") may order the applicant to pay to the chief officer of police such costs as appear to it to be just and reasonable in respect of expenses properly incurred by him in connection with the application before notice of abandonment was given to him.
- 5 The chief officer of police may appear and be heard on the hearing of the application.
- 6 The court may from time to time adjourn the hearing of the application.
- 7 On the determination of the application, the court may make such order as to payment of costs as it thinks fit, and may fix a sum to be paid by way of costs in lieu of directing a taxation thereof, and any costs ordered to be paid by the court may be recovered summarily as a civil debt and shall not be recoverable in any other manner:

Provided that the chief officer of police shall not under this paragraph be ordered to pay the costs of the applicant.

---

*Status: This is the original version (as it was originally enacted).*

---

## **PART II**

### APPLICATION TO SHERIFF (SCOTLAND)

- 8        The application shall be made to the sheriff within whose jurisdiction the applicant resides.
- 9        Not less than twenty-one days' notice of the application shall be given to the chief officer of police for the area in which the applicant resides.