

Status: Point in time view as at 01/09/2015.

Changes to legislation: Criminal Procedure (Scotland) Act 1995, Cross Heading: Making of orders and general requirements is up to date with all changes known to be in force on or before 05 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULES

SCHEDULE 4

SUPERVISION AND TREATMENT ORDERS

PART II

MAKING AND EFFECT OF ORDERS

Making of orders and general requirements

- 3 (1) A supervision and treatment order shall specify the local authority area in which the supervised person resides or will reside.
- (2) Before making such an order, the court shall explain to the supervised person in ordinary language—
- (a) the effect of the order (including any requirements proposed to be included in the order in accordance with paragraph 5 below); and
 - (b) that the sheriff court for the area in which the supervised person resides or will reside (in this Schedule referred to as “the relevant sheriff court”) has power under paragraphs 6 to 8 below to review the order on the application either of the supervised person or of the supervising officer.
- (3) After making such an order, the court shall forthwith give a copy of the order to—
- (a) the supervised person;
 - (b) the supervising officer;
 - [^{F1}(b) the medical practitioner by whom or under whose supervision the supervised person is to be treated under the order;] and
 - (c) the person in charge of any institution in which the supervised person is required by the order to reside.
- (4) After making such an order, the court shall also send to the relevant sheriff court—
- (a) a copy of the order; and
 - (b) such documents and information relating to the case as it considers likely to be of assistance to that court in the exercise of its functions in relation to the order.
- (5) Where such an order is made, the supervised person shall comply with such instructions as he may from time to time be given by the supervising officer regarding his supervision and shall keep in touch with that officer and notify him of any change of address.

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Textual Amendments

- F1** Sch. 4 para. 3(3)(bb) inserted (1.1.1998) by 1997 c. 48, s. 62(1), **Sch. 1 para. 21(35)(a)**; S.I. 1997/2323, art. 4, **Sch. 2** (subject to art. 7)

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