

1981 No. 386 (S. 36)

**HIGH COURT OF JUSTICIARY, SCOTLAND**  
**SUMMARY JURISDICTION, SCOTLAND**  
**Act of Adjournal (Procedures under Criminal Justice**  
**(Scotland) Act 1980 No. 2) 1981**

*Made* - - - - 10th March 1981

*Coming into Operation* 1st April 1981

The Lord Justice General, the Lord Justice Clerk, and the Lords Commissioners of Justiciary, under and by virtue of the powers conferred upon them by sections 282 and 457 of the Criminal Procedure (Scotland) Act 1975(a) and of all other powers enabling them in that behalf, do hereby enact and declare—

*Citation, commencement and interpretation*

1.—(1) This Act of Adjournal may be cited as the Act of Adjournal (Procedures under Criminal Justice (Scotland) Act 1980 No. 2) 1981 and shall come into operation on 1st April 1981.

(2) In this Act of Adjournal, “the Act” means the Criminal Justice (Scotland) Act 1980(b).

(3) Except where the context otherwise requires, expressions used in this Act of Adjournal and in the said Act of 1975 shall have the same meaning in this Act of Adjournal as in that Act.

(4) This Act of Adjournal shall be inserted in the Books of Adjournal.

*Identification parades on application of accused*

2.—(1) An application to the sheriff made by an accused under section 10(1) of the Act for an order that the prosecutor shall hold an identification parade in which the accused shall be one of those constituting the parade shall be made—

(a) to the sheriff in whose sheriffdom the proceedings in relation to which the order is sought have been commenced;

(b) by way of petition in the form set out in Form 1A or 1B, whichever is appropriate, of the Schedule to this Act of Adjournal or as nearly as may be in that form having regard to the particular circumstances.

(2) On an application being made to the sheriff under paragraph (1), he shall—

(a) order intimation of the application to be made to the prosecutor;

(b) fix a diet for a hearing of the application on the earliest practicable date;

---

(a) 1975 c. 21, as amended by 1980 (c. 62).

(b) 1980 c. 62.

(c) after giving the prosecutor an opportunity to be heard at the hearing and allowing such further procedure as he thinks fit, make an order granting or refusing the application.

(3) If—

- (a) the prosecutor is not present at the hearing of the application; and  
 (b) the sheriff makes an order granting the application,

the sheriff clerk shall issue a certified copy of the order to the applicant or his solicitor.

(4) The sheriff clerk shall record the order made by the sheriff under paragraph (2)(c) in the minute of proceedings, and shall keep the petition and relative documents in his custody.

#### *Solemn appeals*

3.—(1) For the purposes of appeals in solemn proceedings the forms specified by number in the third column of the Table set out below and set out under those numbers in the Schedule to this Act of Adjournal are the forms prescribed under the said Act of 1975 for the purposes of the sections of that Act specified in column 1 of the Table relating respectively to the matters summarised in column 2 of the Table, and shall have effect for those purposes.

TABLE		
COLUMN 1 (No. of section)	COLUMN 2 (content)	COLUMN 3 (No. of form)
231	Intimation of intention to appeal	2
233	Note of Appeal	3
236B	Application for extension of time	4
238	Application for bail pending appeal	5
244	Notice of abandonment of appeal	6
251	Notification of decision	7
251	Application for determination by High Court	8

(2) Where the Clerk of Justiciary extends the period for lodging a written note of appeal under section 233(1) of the said Act of 1975, he shall record the period of any such extension on the completed form of intimation of intention to appeal.

#### *Summary appeals—Forms*

4.—(1) For the purposes of appeals in summary proceedings the forms specified by numbers in the third column of the Table set out below and set out under those numbers in the Schedule to this Act of Adjournal are the forms prescribed under the said Act of 1975 for the purposes of the section of that Act specified in column 1 of the Table relating respectively to the matters summarised in column 2 of the Table, and shall have effect for those purposes.

TABLE		
COLUMN 1 (No. of section)	COLUMN 2 (content)	COLUMN 3 (No. of Form)
442A(2)	Minute abandoning appeal against conviction only	9
444	Application for a stated case	10
447(2)	Stated case	11
449	Minute abandoning stated case	9
450	Minutes of procedure in appeal by stated case	12
450	Minutes of procedure in note of appeal	13
451(2)	Extension of time limit by sheriff principal	14
453B(1)	Note of appeal against sentence	15
453B(4)	Extension of time limit by sheriff principal	14
453B(7)	Minute abandoning appeal	16

(2) Part VI of the Second Schedule to the Summary Jurisdiction (Scotland) Act 1954(a) is repealed.

(3) In the said Act of 1975 in section 450, omit the words "Part VI of Schedule 2 to the Summary Jurisdiction (Scotland) Act 1954 or in".

*Abandoning appeal against conviction only*

5.—(1) The provisions of this rule apply to an appellant abandoning his appeal against conviction and proceeding with the appeal against sentence alone under section 442A(2) of the said Act of 1975.

(2) An application to abandon under paragraph (1) shall be made by way of minute signed by the appellant or his solicitor and intimated by him to the respondent.

(3) Subject to paragraph (4), the minute shall be lodged with the clerk of the court which imposed sentence.

(4) If prior to the lodging of the minute the stated case has been lodged with the Clerk of Justiciary, the minute shall be lodged with him and he shall immediately send a copy of the minute to the clerk of the court which imposed sentence.

(5) If prior to the lodging of the minute prints of the stated case and relative proceedings have been lodged with the Clerk of Justiciary, those prints shall be used for the purposes of the hearing of the appeal against sentence.

(6) On the lodging of the minute, the provisions of sections 453B(3) to 453E of the said Act of 1975 shall apply to the minute as they apply to a note of appeal.

*Extension of time for appeal against sentence only*

6.—(1) Where by virtue of the provisions of section 453B(6) of the said Act of 1975 the Court makes an order extending the period within which the note

of appeal shall be lodged under subsection (2) of that section, the periods mentioned in subsections (2) and (4) of that section shall run from the date which is 2 days after the date on which the court makes that order and not from the passing of the sentence.

(2) If the date from which an extended period runs by virtue of paragraph (1) is a Saturday, Sunday or court holiday prescribed for the relevant court, the date shall be the next date that is not a Saturday, Sunday or court holiday.

#### *Intimation to Crown of abandonment*

7. The Clerk of Justiciary or the clerk of court, as the case may be, on the lodging with him of—

- (a) a minute abandoning an appeal by stated case under section 449 of the said Act of 1975;
- (b) a minute abandoning a note of appeal against sentence under section 453B(7) of the said Act of 1975,

shall notify immediately the Crown Agent or the prosecutor, as the case may be, of the lodging of the minute.

#### *Compensation orders*

8.—(1) The provisions of this rule apply to compensation orders made by courts against convicted persons under Part IV of the Act.

(2) Entries shall be made in the record or minutes of proceedings by the clerk of court on the making of a compensation order, specifying the terms of the order and in particular—

- (a) the name of the convicted person or persons required to pay compensation;
- (b) the amount of compensation required to be paid by such person or such persons;
- (c) the name of the person or persons entitled to the compensation payable;
- (d) where there is more than one such person, the amount of compensation each is entitled to and the priority, if any, among those persons for payment.

(3) The prosecutor, if he knows that any person entitled to payment of compensation under a compensation order is under any legal disability, shall so inform the court immediately it makes any such order in respect of any such person, and that information shall be entered by the clerk of court in the record or minute of proceedings.

(4) Those entries shall be authenticated by the signature of the clerk of court.

(5) An application to discharge a compensation order or to reduce the amount that remains to be paid under section 64 of the Act shall be made in writing to the clerk of the court to whom application may be made in accordance with the provisions of that section.

(6) The clerk of court shall, on any such application being made to him, cause intimation of the application to be given to the procurator fiscal.

(7) The court to whom the application is made may dispose of the application after such inquiry as it thinks fit.

(8) Where payment of any sum is made under a compensation order to the clerk of court in respect of a person known to be under a legal disability, paragraphs (a) to (d) and (f) of rule 172 of the First Schedule to the Sheriff Courts (Scotland) Act 1907(a) shall apply to the administration of that sum as they apply to the administration of a sum of money paid into court in respect of damages for such a person.

*Emslie,*  
Lord Justice General  
I.P.D.

Edinburgh.  
10th March 1981.

## SCHEDULE

Rule 2  
(Section 10)

FORMS REFERRED TO IN THE FOREGOING RULES

## FORM 1A

PETITION FOR ORDER TO HOLD IDENTIFICATION PARADE WHERE COMPLAINT PETITION  
SERVED*Under the Criminal Justice (Scotland) Act 1980*

UNTO THE HONOURABLE THE SHERIFF OF \_\_\_\_\_

AT \_\_\_\_\_

PETITION

of

A. B.

designation, address or  
Prisoner in the Prison of

HUMBLY SHEWETH:

(1) That the petitioner has been charged in your Lordship's Court/in the District Court at \_\_\_\_\_ on a summary complaint/petition at the instance of the Procurator Fiscal with the offence of \_\_\_\_\_;

[(2) That the trial of the said A. B. is to take place in the said Court on \_\_\_\_\_;]

(3) That an identification parade in which the petitioner was one of those constituting the parade has not been held;

(4) That the petitioner has requested the prosecutor to hold such a parade but he has refused to hold, or has unreasonably delayed holding, the same;

(5) That it is reasonable in the circumstances in relation to the alleged offence that such an identification parade should be held (specify circumstances).

MAY IT THEREFORE please your Lordship:

(1) to appoint intimation of this petition to be made to the said Procurator Fiscal;

(2) to appoint parties to be heard thereupon on the earliest practicable date hereafter; and

(3) thereafter, upon being satisfied in terms of Section 10(2) of the said Act, to order the prosecutor to hold an identification parade in which the petitioner shall be one of those constituting the parade, in relation to the offence referred to above with which the petitioner has been charged.

In respect whereof

Solicitor for the said petitioner.

HIGH COURT OF JUSTICIARY, SCOTLAND  
SUMMARY JURISDICTION, SCOTLAND

---

Rule 2  
(Section 10)

FORM 1B

PETITION FOR ORDER TO HOLD IDENTIFICATION PARADE WHERE INDICTMENT SERVED

*Under the Criminal Justice (Scotland) Act 1980*

UNTO THE HONOURABLE THE SHERIFF OF \_\_\_\_\_

AT \_\_\_\_\_

PETITION  
of  
A. B.  
designation, address or  
Prisoner in the Prison of

HUMBLY SHEWETH:

- (1) That the petitioner has been indicted in your Lordship's Court/in the High Court of Justiciary at the instance of X.Y., Her Majesty's Advocate with the offence of \_\_\_\_\_;
- (2) That the trial of the said A.B. is to take place in your Lordship's Court/in the High Court of Justiciary sitting at \_\_\_\_\_ on \_\_\_\_\_;
- (3) That an identification parade in which the petitioner was one of those constituting the parade has not been held;
- (4) That the petitioner has requested the prosecutor to hold such a parade but he has refused to hold, or has unreasonably delayed holding, the same;
- (5) That it is reasonable in the circumstances in relation to the alleged offence that such an identification parade should be held (specify circumstances).

MAY IT THEREFORE please your Lordship:

- (1) to appoint intimation of this petition to be made to the said X.Y.;
- (2) to appoint parties to be heard thereupon on the earliest practicable date hereafter; and
- (3) thereafter, upon being satisfied in terms of Section 10(2) of the said Act, to order the prosecutor to hold an identification parade in which the petitioner shall be one of those constituting the parade, in relation to the offence referred to above with which the petitioner has been charged.

In respect whereof

Solicitor for the said petitioner.

FORM 2

Rule 3  
(Section 231)

INTIMATION OF INTENTION TO APPEAL

HIGH COURT OF JUSTICIARY

To:—Clerk of Justiciary

Intimation of Intention to  
Appeal  
under  
Criminal Procedure (Scotland)  
Act 1975

Name of convicted person

Date of Birth

Prisoner in the Prison of

[or as the  
case may  
be.]

Date of final determination of the proceedings

Crime or offence to which appeal relates

Court and name of judge

Sentence

Intimation is hereby given that the above named convicted person intends to appeal to the High Court against the foregoing \*conviction/conviction and sentence. \* [delete as appropriate.]

(Signed by convicted person, his counsel or Solicitor)

[Solicitor to add address and telephone number.]

[Date]



HIGH COURT OF JUSTICIARY, SCOTLAND  
SUMMARY JURISDICTION, SCOTLAND

1052

Rule 3  
(Section 233)

FORM 3

NOTE OF APPEAL

HIGH COURT OF JUSTICIARY

To:—Clerk of Justiciary

NOTE OF APPEAL  
under  
Criminal Procedure (Scotland)  
Act 1975

Name of convicted person

Date of birth

[or as the  
case may  
be.]

Prisoner in the Prison of

Date of final determination of the proceedings

Crime or offence to which the appeal relates

Court and name of judge

Sentence

\*[delete  
as  
approp-  
riate.]

The above named convicted person appeals against \*conviction/sentence-  
conviction and sentence on the following grounds:—  
[Here give full statement of all grounds of appeal]

(Signed by convicted person, his Counsel or Solicitor)

[Solicitor to add address and telephone number.]

[Date]

## FORM 4

Rule 3  
(Section  
236B)

## APPLICATION FOR EXTENSION OF TIME

## HIGH COURT OF JUSTICIARY

APPLICATION FOR EXTENSION OF TIME UNDER SECTION 236B(2) OF THE CRIMINAL  
PROCEDURE (SCOTLAND) ACT 1975UNTO THE RIGHT HONOURABLE THE LORD JUSTICE GENERAL,  
LORD JUSTICE CLERK and LORDS COMMISSIONERS OF JUSTICIARY.

Name of convicted person

Date of birth

Prisoner in the Prison of

[or as the  
case may  
be.]

Date of final determination of the proceedings

Crime or offence to which appeal relates

Court and name of judge

Sentence

Application is hereby made for extension of time within which to:

- (a) intimate an Intention to Appeal against conviction
- (b) intimate an Intention to Appeal against conviction and sentence.
- (c) lodge a Note of Appeal against sentence
- (d) lodge a Note of Appeal against conviction
- (e) lodge a Note of Appeal against conviction and sentence,

[delete  
as  
approp-  
riate.]

for the following reasons:—

[Here fully state the reasons for the failure to lodge timeously the Intimation of  
Intention to Appeal or Note of Appeal as the case may be](Signed by convicted person, his Coun-  
sel or Solicitor)[Solicitor to add address and telephone  
number]

[Date]

HIGH COURT OF JUDICIARY, SCOTLAND  
SUMMARY JURISDICTION SCOTLAND

Rule 3  
(Section 238)

FORM 5

APPLICATION FOR BAIL PENDING APPEAL

CRIMINAL PROCEDURE (SCOTLAND) ACT 1975

UNTO THE RIGHT HONOURABLE THE LORD JUSTICE GENERAL,  
LORD JUSTICE CLERK, AND LORDS COMMISSIONERS OF JUSTICI-  
ARY

The Petition of  
presently a prisoner in the Prison of  
Humbly Sheweth,  
THAT on [date] he was convicted  
in the Court at  
of [here state crime or offence]

and sentenced to  
THAT on [date] he lodged an Intimation of Intention to  
Appeal/Note of Appeal to the High Court of Justiciary under The Criminal  
Procedure (Scotland) Act, 1975.

[Here  
state  
any  
relevant  
facts in  
support  
of grant  
of bail.]

THAT the said crime is bailable.  
May it therefore please your Lordships to Remit this Petition and relative docu-  
ments to the Sheriff at  
with a direction to admit the Petitioner to Bail so far as detained under said  
sentence upon his formal acceptance and/or fulfilment of such conditions as your  
Lordships shall fix.

According to Justice, &c.,

(Signature) .....

(Petitioner or Counsel or Solicitor for Petitioner)

[Date] ..... [Solicitor to add address and telephone  
number.]

## FORM 6

Rule 3  
(Section 244)

## NOTICE OF ABANDONMENT OF APPEAL

## CRIMINAL APPEAL

## THE CRIMINAL PROCEDURE (SCOTLAND) ACT 1975

Name of convicted person

Date of birth

Prisoner in the Prison of

[or as the  
case may  
be.]

Crime or offence to which appeal relates

Court

Sentence

I, [name in full]

abandon as from

this date my appeal against:

(a) Conviction

(b) Conviction but proceed with my appeal against Sentence

(c) Conviction and Sentence

(d) Sentence

[delete  
as  
approp-  
riate.]

Signature

Appellant

[Place and date]

To:—The Clerk of Justiciary  
Parliament Square  
Edinburgh  
EH1 1RF

HIGH COURT OF JUDICIARY, SCOTLAND  
SUMMARY JURISDICTION SCOTLAND

Rule 3  
(Section 251)

FORM 7

NOTIFICATION OF DECISION

CRIMINAL PROCEDURE (SCOTLAND) ACT, 1975

NOTIFICATION UNDER SECTION 251 TO APPLICANT OF A DECISION OF A JUDGE UNDER SECTION 247

To:—(Name and designation)

I hereby give notice that a judge of the High Court of Justiciary having considered your Application for:—

- (a) Extension of time within which an Intimation of Intention to Appeal against conviction/conviction and sentence may be lodged;
- [delete as appropriate.] (b) Extension of time within which a Note of Appeal against conviction/conviction and sentence/sentence may be lodged;
- (c) Permission to you to be present at the hearing of any proceedings in relation to your Appeal and/or Application;
- (d) Admission to Bail

has <sup>refused</sup> <sub>granted</sub> the Application .....

.....  
If you desire to have the above-mentioned Application(s), which have been refused, determined by the High Court of Justiciary constituted as provided in the Act above mentioned you are required to fill up the enclosed Form and return it to me within five days of its receipt by you, otherwise the decision of the single judge will be final.

[Date]

.....  
Clerk of Justiciary

FORM 8

Rule 3  
(Section 251)

APPLICATION FOR DETERMINATION BY HIGH COURT

CRIMINAL PROCEDURE (SCOTLAND) ACT 1975

REQUISITION UNDER SECTION 251 FOR DETERMINATION BY THE COURT UNDER SECTION 247 OF APPLICATION(S) REFUSED BY A SINGLE JUDGE

To:—Clerk of Justiciary

I, (name in full) having received your notification that my Application(s) for:—

(a) Extension of time within which an Intimation of Intention to Appeal against conviction/conviction and sentence may be lodged;

(b) Extension of time within which a Note of Appeal against conviction/conviction and sentence/sentence may be lodged;

(c) Permission to me to be present at the hearing of any proceedings in relation to my Appeal and/or Application;

(d) Admission to Bail;

[delete  
as  
appropriate.]

has been refused hereby give notice that I desire that the said Application(s) shall be considered and determined by the High Court of Justiciary constituted as provided in the Act above mentioned.

(Signature)

[Date]

Applicant

Note:—If the Applicant desires to be present at the hearing by the Court in relation to his Application(s), he should complete and sign the following:—

I, (name in full) \*(not being legally represented) desire to be present at the hearing of my Application(s) above mentioned.

\*If  
legally  
represented  
delete  
these  
words.

(Signature)

[Date]

Applicant

HIGH COURT OF JUDICIARY, SCOTLAND  
SUMMARY JURISDICTION SCOTLAND

1058

Rule 4  
(Sections  
442A(2)  
and 449)

FORM 9

MINUTE ABANDONING APPEAL

SHERIFF COURT/DISTRICT COURT, \_\_\_\_\_

UNDER THE CRIMINAL PROCEDURE (SCOTLAND) ACT 1975

SECTION 442A(2)/449

MINUTE OF ABANDONMENT  
IN THE  
APPEAL BY STATED CASE

A.B., APPELLANT v. THE PROCURATOR FISCAL, RESPONDENT

The said A.B. abandons his appeal as from this date against

(delete  
where  
applic-  
able.)

- (a) conviction
- (b) conviction and sentence
- (c) conviction but proceeds with his appeal against sentence on the following ground:—  
[here specify]

Intimation of the foregoing abandonment has been made to the Respondent:

(Signed) A.B.

[or C.D., Solicitor for the said A.B.  
(address and telephone number)]

[Place and Date]

## FORM 10

Rule 4  
(Section 444)

## APPLICATION FOR STATED CASE

SHERIFF COURT/DISTRICT COURT, \_\_\_\_\_

UNDER THE CRIMINAL PROCEDURE (SCOTLAND) ACT 1975

## APPLICATION FOR STATED CASE

PROCURATOR FISCAL v. A.B.

1. The said \*A.B./Procurator Fiscal craves the Court to state a case for the Opinion of the High Court of Justiciary in the above proceedings in which the date of final determination was [date]

2. The matters which it is desired to bring under review are:—

[here specify]

(a)

(b)

(c)

(d)

\*3. The appeal is also against sentence.

\*4. The said A.B. also craves the Court to [here insert any application for bail, for interim suspension of an order for disqualification imposed under the Road Traffic Acts, or for any other interim order in terms of Section 446(1) of the Criminal Procedure (Scotland) Act 1975.]

(Signed) \*A.B./Procurator Fiscal

[or C.D., Solicitor for the said A.B.  
(address and telephone number)]

[Place and Date]

\*Delete as appropriate.



1060

HIGH COURT OF JUDICIARY, SCOTLAND  
SUMMARY JURISDICTION SCOTLAND

---

Rule 4  
(Section  
447(2))

FORM 11  
STATED CASE

IN THE \_\_\_\_\_ COURT AT \_\_\_\_\_

Case for the Opinion of the High Court of Justiciary at Edinburgh  
in causa

Appellant v. Respondent

This is a cause [here state concisely and without argument the nature of the cause and the facts if any admitted or proved in evidence, any objections to the admission or rejection of evidence taken in the proof, the grounds of the decision, and any other matters necessary to be stated for the information of the superior court.]

The question submitted for the opinion of the Court is:—

[Here state the question or questions *seriatim*, for the opinion of the Court.]

This case is stated by me (or us).

[Signature of the Judge(s).]

[Append any additional material required by Section 448(2D) of the Criminal Procedure (Scotland) Act 1975.

[Initials of the Judge(s).]

## FORM 12

Rule 4  
(Section 450)

## MINUTES OF PROCEDURE IN APPEAL BY STATED CASE

[Date] Application for stated case lodged.

Clerk of Court.

[Date] Name of judge] The Court Refused Bail/Granted Bail conform to separate order attached.

Clerk of Court.

[Date] Name of judge] The Court *ad interim* Suspended the order for disqualification in terms of Section 94(3) of the Road Traffic Act 1972.

Clerk of Court.

[Date] Draft stated case issued to appellant('s solicitor) and duplicate thereof issued to respondent('s solicitor). Last date for receipt of adjustments is [date]

Clerk of Court.

[Date] Adjustments for received.

Clerk of Court.

[Date] Adjustments for received.

Clerk of Court.

[Date] Intimation by that no adjustments proposed.

Clerk of court.

[Date] Intimation by that no adjustments proposed.

Clerk of Court.

[Date] Appeal deemed to be abandoned in terms of Section 448(2) of the Criminal Procedure (Scotland) Act 1975, and so intimated to appellant('s solicitor) and to respondent('s solicitor).

Clerk of Court.

[Date] Hearing on adjustments and any intended alteration to the draft case to be held on [date and time]. Appellant('s solicitor) and Respondent('s solicitor) informed.

Clerk of Court.

[Place and date. Name(s) of judge(s)]

Appeared

Parties heard on the adjustments and on intended alterations to the draft case.

Case adjusted.

The following adjustments rejected by judge:— [here specify]

HIGH COURT OF JUDICIARY, SCOTLAND  
SUMMARY JURISDICTION SCOTLAND

---

The following alteration proposed by judge not accepted by:—  
[here specify]  
Clerk of Court.

[Date] Case signed and sent to Appellant('s solicitor) and duplicate sent to Respondent('s solicitor). Complaint, proceedings and all relevant documents transmitted to Clerk of Justiciary.

## FORM 13

Rule 4  
(Section 450)

## MINUTES OF PROCEDURE IN NOTE OF APPEAL

[Date] Note of Appeal lodged.

Clerk of Court.

Eodie Copy Note of Appeal sent to Procurator Fiscal.

Clerk of Court.

Eodie Copies of Note of Appeal, Complaint, Minutes of proceedings and relevant document to [name of judge] for report. Proceedings to be sent to Clerk of Justiciary no later than [date]

Clerk of Court.

[Date Name of judge] The Court Refused Bail/Granted Bail conform to separate order attached.

Clerk of Court.

[Date Name of judge] The Court *ad interim* Suspended the order for disqualification in terms of section 94(3) of the Road Traffic Act 1972

Clerk of Court.

[Date] Report received

Clerk of Court.

[Date] Copy report sent to A.B., [or C.D.] and Procurator Fiscal.

Clerk of Court.

Eodie Note of Appeal, Report and certified copy of the complaint, minutes of proceedings and relevant documents sent to Clerk of Justiciary.

Clerk of Court.

HIGH COURT OF JUDICIARY, SCOTLAND  
SUMMARY JURISDICTION SCOTLAND

1064

Rule 4  
(Sections  
451(2)  
and 453(4))

FORM 14

EXTENSION OF PERIOD BY SHERIFF PRINCIPAL UNDER THE CRIMINAL PROCEDURE  
(SCOTLAND) ACT 1975

SHERIFF/DISTRICT COURT, \_\_\_\_\_

PROCURATOR FISCAL v. A.B.

[Place and date] I,  
Sheriff Principal of the Sheriffdom of

[or as  
the case  
may be.]

, by virtue of the  
powers vested in me by Section 451(2)/453B(4) of the said Act, and in respect  
that [name of judge] is temporarily absent from duty, extend the period specified  
in Section 447(1)/448(2A)/448(2D)/453B(4) of the said Act so that it will now  
expire on [date].

Signed .....

FORM 15

NOTE OF APPEAL AGAINST SENTENCE

Rule 4  
(Section  
453B(1))

SHERIFF COURT/DISTRICT COURT, \_\_\_\_\_

Under the Criminal Procedure (Scotland) Act 1975, Section 453B

NOTE OF APPEAL  
against sentence

by  
A.B. presently prisoner in  
the Prison of

(or now residing at )

APPELLANT

against  
the Procurator Fiscal  
RESPONDENT

1. The said A.B. appeals to the High Court of Justiciary against the sentence of [date] passed in the above Court on [date]

2. The ground of appeal is:— [here specify]

3. The said A.B. also craves the Court to  
[Here insert any application for bail, for interim suspension of an order for disqualification imposed under the Road Traffic Acts, or for any other interim order in terms of Section 446(1) of the Criminal Procedure (Scotland) Act 1975]

(signed) A.B.

[or C.D. Solicitor for the said A.B.  
(address and telephone number)]

[Place and date]

HIGH COURT OF JUDICIARY, SCOTLAND  
SUMMARY JURISDICTION SCOTLAND

---

Rule 4  
(Section  
453B(7))

FORM 16

MINUTE OF ABANDONMENT OF APPEAL AGAINST SENTENCE

The Criminal Procedure (Scotland) Act, 1975 Section 453B(7)

Name of Appellant

Date of birth

Prisoner in the Prison of

Crime or offence to which appeal relates

Sheriff/District Court at

Sentence

The above named Appellant having lodged a Note of Appeal in terms of Section 442(1)(a)(ii) of said Act abandons as from this date said appeal against sentence.

Intimation of the foregoing abandonment has been made to the respondent.

(signed) A.B.

[or C.D.]

Solicitor for the said A.B.]

[Place and Date]

---

EXPLANATORY NOTE

*(This Note is not part of the Act of Adjournal.)*

This Act of Adjournal makes provision for the procedure to be followed under the provisions of section 10 and Part IV of the Criminal Justice (Scotland) Act 1980 and of sections 231, 233, 236B, 238, 244, 251, 442A, 444, 447, 449, 450, 451 and 453B of the Criminal Procedure (Scotland) Act 1975 as amended by the said Act of 1980. Those provisions came into operation on 1st April 1980. The Act of Adjournal repeals Part VI of the Second Schedule to the Summary Jurisdiction (Scotland) Act 1954 and amends section 450 of the said Act of 1975.

SI 1981/386

SI 1981/386  
ISBN 0-11-016386-9



780110 163864