

1987 No. 1328 (S.92)

**HIGH COURT OF JUSTICIARY, SCOTLAND  
SHERIFF COURT, SCOTLAND**

**Act of Adjournal (Service of Documents on Accused  
Persons) 1987**

*Made* - - - - - *23rd July 1987*

*Coming into force* *17th August 1987*

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

**Citation and commencement**

1.—(1) This Act of Adjournal may be cited as the Act of Adjournal (Service of Documents on Accused Persons) 1987 and shall come into force on 17th August 1987.

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

**Service of indictment and other documents on accused persons**

2.—(1) This paragraph applies to the service of any document on an accused person under section 71 of the Criminal Procedure (Scotland) Act 1975(b) (manner of service of indictment, etc.).

(2) Service shall be effected by an officer of law by—

- (a) delivering the document to the accused personally;
- (b) leaving the document in the hands of a member of the family of the accused or other occupier or employee at the proper domicile of citation of the accused;
- (c) affixing the document to the door of, or depositing it in, the proper domicile of citation of the accused; or
- (d) where the officer of law serving the document has reasonable grounds for believing that an accused, for whom no proper domicile of citation has been specified, is residing at a particular place but is unavailable—
  - (i) leaving the document in the hands of a member of the family of the accused or other occupier or employee at that place; or
  - (ii) affixing the document to the door of, or depositing it in, that place.

Edinburgh  
23rd July 1987

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

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(a) 1975 c.21; section 282 was amended by the Criminal Justice (Scotland) Act 1980 (c.62), Schedule 7, paragraph 47.  
(b) Section 71 was amended by the Criminal Justice (Scotland) Act 1980, Schedule 7, paragraph 27.

## **EXPLANATORY NOTE**

*(This note is not part of the Act of Adjournal)*

This Act of Adjournal provides for the manner in which service of documents on accused persons in solemn criminal proceedings in the High Court of Justiciary and the Sheriff Court is to be made under section 71 of the Criminal Procedure (Scotland) Act 1975.

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