

1989 No. 1020 (S.100)

**HIGH COURT OF JUSTICIARY, SCOTLAND
SUMMARY JURISDICTION, SCOTLAND**

**Act of Adjournal (Consolidation Amendment No.2)
(Forms of Warrant for Execution and Charge for
Payment of Fine or Other Financial Penalty) 1989**

Made *15th June 1989*

Coming into force *10th July 1989*

The Lord Justice General, Lord Justice Clerk and Lords Commissioners of Justiciary, under and by virtue of the powers conferred on 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 and commencement

1.—(1) This Act of Adjournal may be cited as the Act of Adjournal (Consolidation Amendment No.2) (Forms of Warrant for Execution and Charge for Payment of Fine or Other Financial Penalty) 1989 and shall come into force on 10th July 1989.

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

Amendment of Act of Adjournal (Consolidation) 1988

2.—(1) The Act of Adjournal (Consolidation) 1988(b) shall be amended in accordance with the following sub-paragraphs.

(2) After rule 83, insert the following rule:—

“Forms of warrant for execution and charge for payment of fine or other financial penalty

83A.—(1) In every extract of a sentence of a fine or other financial penalty, there shall be included a warrant for execution in the following terms:— ‘and the Lords [*or* sheriff] grant(s) warrant for all lawful execution hereon.’

(2) The form of charge for payment of a fine or other financial penalty to be used by a sheriff officer under section 90 of the Debtors (Scotland) Act 1987(c) shall be in Form 36A of Schedule 1.”

(3) After rule 126, insert the following rule:—

“Forms of warrant for execution and charge for payment of fine or other financial penalty

126A.—(1) In every extract of a sentence of a fine or other financial penalty, there shall be included a warrant for execution in the following terms:— ‘and the sheriff [*or* justice(s)] grant(s) warrant for all lawful execution hereon.’

(a) 1975 c.21; section 282 was amended by paragraph 47, and section 457 was amended by paragraph 72, of Schedule 7 to the Criminal Justice (Scotland) Act 1980 (c.62).

(b) S.I. 1988/110, to which there is an amendment not relevant to this Act of Adjournal.

(c) 1987 c.18.

(2) The form of charge for payment of a fine or other financial penalty to be used by a sheriff officer under section 90 of the Debtors (Scotland) Act 1987 shall be in Form 36A of Schedule 1.”

(4) In Schedule 1, after Form 36, insert Form 36A in the Schedule to this Act of Adjournal.

Edinburgh
15th June 1989

Emslie
Lord Justice General, IPD

EXPLANATORY NOTE

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

This Act of Adjournal makes provision for the forms of warrant for execution of a sentence of a fine or other financial penalty, and the form of a charge for the payment of a fine or other financial penalty to be used by a sheriff officer under section 90 of the Debtors (Scotland) Act 1987.

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