

SCHEDULE 2

CRIMINAL PROCEDURE RULES 1996

PART I

Preliminary and administration

CHAPTER 1

CITATION, INTERPRETATION AND FORMS

Citation of these Rules

1.1. These Rules may be cited as the Criminal Procedure Rules 1996.

Interpretation

1.2.—(1) In these Rules, unless the context otherwise requires—

“the Act of 1995” means the Criminal Procedure (Scotland) Act 1995⁽¹⁾;

“counsel” means a practising member of the Faculty of Advocates or a solicitor having a right of audience before the High Court by virtue of section 25A of the Solicitors (Scotland) Act 1980⁽²⁾;

(2) Unless the context otherwise requires, a reference to a specified Chapter, Part, rule or form is a reference to the Chapter, Part, rule, or form in the appendix to these Rules, so specified in these Rules; and a reference to a specified paragraph, sub-paragraph or head is a reference to that paragraph of the rule or form, that sub-paragraph of the paragraph or that head of the sub-paragraph, in which the reference occurs.

Forms

1.3. Where there is a reference to the use of a form in these Rules, that form in the appendix to these Rules, or a form substantially to the same effect, shall be used with such variation as circumstances may require.

⁽¹⁾ 1995 c. 46.

⁽²⁾ 1980 c. 46; section 25A was inserted by section 24 of the Law Reform (Miscellaneous Provisions) (Scotland) Act 1990 (c. 40) and amended by paragraph 31 of Schedule 4 to the Criminal Procedure (Consequential Provisions) (Scotland) Act 1995 (c. 40).