

SCHEDULE

Paragraph 2(4)(b)

Form 52.2 Form of petition for a production order under section 23B(1) of the Criminal Law (Consolidation) (Scotland) Act 1995

Rule 52.2

UNTO THE HONOURABLE THE SHERIFF OF *(name of sheriffdom)*

AT *(place)*

PETITION

of

[A.B.] authorised officer of the Commissioners for Her Majesty's Revenue and Customs *(place)*

PETITIONER

HUMBLY SHEWETH:—

1. That the petitioner has reasonable grounds to suspect that a Revenue and Customs offence of *(specify offence)* has been [*or is being*] committed by [C.D.] *(address)* and those reasonable grounds are *(specify grounds)*.
2. That [E.F.] *(address)* is a person that has possession or control of [a] document[s] which may be required as evidence for the purposes of any proceedings in respect of such an offence and that this [*or these*] document[s] are *(specify documents)*.
3. That the petitioner seeks an order that [E.F.] shall deliver the said document[s] to the petitioner [*or give the petitioner access to the document[s] and permit the petitioner to make copies of or remove the document[s] within a period of (specify period within which petitioner seeks fulfilment of the production order)*].

MAY IT THEREFORE PLEASE YOUR LORDSHIP:—

- (a) to grant the production order to *(specify)* within *(specify)*;
- (b) to do otherwise as your Lordship shall seem proper; and
- (c) to require service of the order to [E.F.] within *(specify)*.

ACCORDING TO JUSTICE, etc.

(Signed)

Authorised officer of the
Commissioners for Her Majesty's
Revenue and Customs.

Form 52.3 Form of petition for a Revenue and Customs warrant under section 23E(1) of the Criminal Law (Consolidation) (Scotland) Act 1995

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Rule 52.3

UNTO THE HONOURABLE THE SHERIFF OF (*name of sheriffdom*)

AT (*place*)

PETITION

of

[A.B.] authorised officer of the Commissioners for Her Majesty's Revenue and Customs (*place*)

PETITIONER

HUMBLY SHEWETH:–

1. That the petitioner has reasonable grounds to suspect that a Revenue and Customs offence of (*specify offence*) has been [*or is being*] committed by [C.D.] (*address*) and those reasonable grounds are (*specify grounds*).
2. That evidence of that offence is to be found in or on premises (*specify premises*).
3. That the petitioner seeks a Revenue and Customs warrant authorising the petitioner to enter, if necessary by force, the premises specified and search those premises.

MAY IT THEREFORE PLEASE YOUR LORDSHIP:–

- (a) to grant a Revenue and Customs warrant; and
- (b) to do otherwise as your Lordship shall seem proper.

ACCORDING TO JUSTICE, etc.

(*Signed*)

Authorised officer of the
Commissioners for Her Majesty's
Revenue and Customs.

Form 52.4-A Form of minute to vary or discharge a production order under section 23C(2) of the Criminal Law (Consolidation) (Scotland) Act 1995

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Rule 52.4(1)

UNTO THE HONOURABLE THE SHERIFF OF (*name of sheriffdom*)

AT (*place*)

MINUTE

of

[A.B.] (*address*)

[or [C.D.] authorised officer of the Commissioners for Her Majesty's Revenue and Customs
(*place*)

MINUTER

HUMBLY SHEWETH:—

1. That there is annexed to this minute a copy of a production order made by the sheriff at (*place*) on (*date*).
2. That the minuter seeks to vary or discharge the production order for the following reasons:— (*here state reasons*).
- [3. The minuter seeks to vary the production order as follows:— (*here state variation sought*).]

MAY IT THEREFORE PLEASE YOUR LORDSHIP:—

to order that there be a diet and to assign a date for that diet.

IN RESPECT WHEREOF

(*Signed*)

Minuter

[or Solicitor for Minuter]

[or Authorised officer of the
Commissioners for Her Majesty's
Revenue and Customs].

Form 52.4-B Form of minute of application under section 23H(2) of the Criminal Law (Consolidation) (Scotland) Act 1995

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Rule 52.4(2)

UNTO THE HONOURABLE THE SHERIFF OF *(name of sheriffdom)*

AT *(place)*

MINUTE

of

[A.B.] *(address)*

MINUTER

HUMBLY SHEWETH:–

1. That there is annexed to this minute a copy of a production order made [*or* A Revenue and Customs warrant was granted] by the sheriff at *(place)* on *(date)*.
2. That the minuter is *(specify capacity in which the minuter makes this application)*.
3. That a document [*or* thing] was [*or* documents were] removed under the production order [*or* Revenue and Customs warrant].
4. That the officer who removed the document[s] [*or* thing] failed to comply with the requirements of section 23F(2) [*or* (4)] of the Criminal Law (Consolidation) (Scotland) Act 1995 when requested to do so by the minuter [*or* That the officer in overall charge of the investigation to which the production order [*or* Revenue and Customs warrant] relates failed to comply with the requirements of section 23G(4) of the Criminal Law (Consolidation) (Scotland) Act 1995 when an application had been made to him by the minuter.]
5. That the minuter seeks *(specify terms of the order sought)*.

MAY IT THEREFORE PLEASE YOUR LORDSHIP:–

to order that there be a diet and to assign a date for that diet.

IN RESPECT WHEREOF

(Signed)

Minuter

[*or* Solicitor for Minuter]