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## SCHEDULE

Paragraph 2(2)

### PART 1

#### Form 8C.1 Application for transfer of petition custody proceedings under section 34A(1) of the Criminal Procedure (Scotland) Act 1995

Rule 8C.1

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

APPLICATION

under section 34A(1) of the Criminal Procedure (Scotland) Act 1995

by

HER MAJESTY'S ADVOCATE *(place)*

HUMBLY SHEWETH:

1. That because of the following exceptional circumstances it is likely that there would be an unusually high number of accused persons appearing from custody for the first calling of cases on petition in the sheriff courts of the sheriffdom of *(place)*: *(here narrate circumstances with reference, if appropriate, to a particular period)*.
2. That it would not be practicable for those courts to deal with all the cases involved.
3. That the sheriff principal of *(place)* consents to this application.

MAY IT THEREFORE PLEASE YOUR LORDSHIP-

- (a) under section 34A(3) of the Criminal Procedure (Scotland) Act 1995 and with the consent of the sheriff principal of *(place)* to order that no more than *(insert number of diets)* will call in the sheriff court of *(place)* in the sheriffdom of *(place)* and that all other of the petition proceedings against persons appearing from custody which would ordinarily call in the sheriff courts of the sheriffdom of *(place)* be taken at the sheriff court of *(place)* and then maintained there *[or at any sheriff court within the sheriffdom of (place) as may at the first calling of the case be appointed for further proceedings]*;
- (b) to order that the accused be cited or ordained to appear as appropriate at the court where the case is to call;
- (c) where appropriate, to order intimation of the change of diet to the accused; and
- (d) *(here specify, if appropriate, particular period or particular circumstances for which order is to have effect)*.

IN RESPECT WHEREOF

*(Signed)*

Prosecutor

*(Name, place and date)*

Paragraph 3(2)

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## PART 2

### Form 17A.1-A Application for transfer of proceedings under Section 137A(1) of the Criminal Procedure (Scotland) Act 1995

Rule 17A.1(1)(a)

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

AT (*place*)

APPLICATION

under section 137A(1) of the Criminal Procedure (Scotland) Act 1995

by

THE PROCURATOR FISCAL (*place*)

HUMBLY SHEWETH:

1. That [A.B.] has been cited in summary proceedings to attend at the sheriff court of (*place*) on (*date*) [or That summary proceedings against [A.B.] were commenced in the sheriff court of (*place*) on (*date*)].
2. That the applicant seeks to transfer the proceedings to the sheriff court of (*place*) for the following reasons: (*here narrate reasons*).

MAY IT THEREFORE PLEASE YOUR LORDSHIP—

- (a) under section 137A(2) of the Criminal Procedure (Scotland) Act 1995 to order that the said proceedings be transferred to the sheriff court of (*place*);
- (b) to adjourn said proceedings to a diet of the sheriff court of (*place*) on (*date*) at (*time*);
- (c) where any future diet has been fixed in the sheriff court of (*place*) to discharge that diet;
- (d) to order that the accused be cited or ordained to appear as appropriate; and
- (e) where appropriate, to order intimation of the change of diet to the accused.

IN RESPECT WHEREOF

(*signed*)

Procurator Fiscal

(*Name, place and date*)

### Form 17A.1-B Application for transfer of proceedings under section 137B(1) of the Criminal Procedure (Scotland) Act 1995

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Rule 17A.1(1)(b)

UNTO THE HONOURABLE THE SHERIFF PRINCIPAL OF *(name of sheriffdom)*  
AT *(place)*  
APPLICATION  
under section 137B(1) of the Criminal Procedure (Scotland) Act 1995  
by  
THE PROCURATOR FISCAL *(place)*

HUMBLY SHEWETH:

1. That the sheriff clerk at the sheriff court of *(place)* has informed the applicant that, because of exceptional circumstances which could not reasonably have been foreseen, it is not practicable for the sheriff court of *(place)* or any other sheriff court in the sheriffdom of *(place)* to proceed with the summary cases listed in the attached annex due to call at the sheriff court of *(place)* on *(date)*.
2. That the applicant seeks an order transferring the summary proceedings listed in the attached annex to the sheriff court of *(place)* in the sheriffdom of *(place)* for the following reasons: *(here narrate reasons)*.
3. That the sheriff principal of *(place)* consents to this application.

MAY IT THEREFORE PLEASE YOUR LORDSHIP—

- (a) under section 137B(2) of the Criminal Procedure (Scotland) Act 1995 and with the consent of the sheriff principal of *(place)* to order that the summary proceedings listed in the attached annex be transferred to the sheriff court of *(place)* in the sheriffdom of *(place)*;
- (b) to adjourn said proceedings to a diet of the sheriff court of *(place)* on *(date)* at *(time)*;
- (c) to discharge any future diet(s) in the sheriff court of *(place)*;
- (d) to order that the accused be cited or ordained to appear as appropriate; and
- (e) where appropriate, to order intimation of the change of diet to the accused.

IN RESPECT WHEREOF

*(signed)*

Procurator Fiscal

*(Name, place and date)*

**Form 17A.1-C Application for transfer of proceedings under section 137B(1A) of the Criminal Procedure (Scotland) Act 1995**

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Rule 17A.1(1)(c)

UNTO THE HONOURABLE THE SHERIFF OF *(name of sheriffdom)*  
AT *(place)*  
APPLICATION  
under section 137B(1A) of the Criminal Procedure (Scotland) Act 1995  
by  
THE PROCURATOR FISCAL *(place)*

HUMBLY SHEWETH:

1. That [A.B.] has been cited in summary proceedings to attend at the sheriff court of *(place)* on *(date)* [or That summary proceedings against [A.B.] were commenced at the sheriff court of *(place)* on *(date)*].
2. That there are also summary proceedings against [A.B.] in the sheriff court of *(place)* in the sheriffdom of *(place)*.
3. That it would be expedient for the different cases involved to be dealt with by the same court for the following reasons: *(here narrate reasons)*.
4. That Sheriff *(name)* of the sheriffdom of *(place)* consents to this application.

MAY IT THEREFORE PLEASE YOUR LORDSHIP—

- (a) under section 137B(2A) of the Criminal Procedure (Scotland) Act 1995 and with the consent of Sheriff *(name)* of the sheriffdom of *(place)* to order that the said summary proceedings against [A.B.] be transferred from the sheriff court of *(place)* to the sheriff court of *(place)* in the sheriffdom of *(place)*;
- (b) to adjourn said proceedings to a diet of the sheriff court of *(place)* on *(date)* at *(time)*;
- (c) where any future diet has been fixed in the sheriff court of *(place)* to discharge that diet;
- (d) to order that the accused be cited or ordained to appear as appropriate; and
- (e) where appropriate, to order intimation of the change of diet to the accused.

IN RESPECT WHEREOF

*(signed)*

Procurator Fiscal

*(Name, place and date)*

**Form 17A.1-DApplication for transfer of proceedings under section 137B(1C) of the Criminal Procedure (Scotland) Act 1995**

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Rule 17A.1(1)(d)

UNTO THE HONOURABLE THE SHERIFF OF (*name of sheriffdom*)  
AT (*place*)  
APPLICATION  
under section 137B(1C) of the Criminal Procedure (Scotland) Act 1995  
by  
THE PROCURATOR FISCAL (*place*)

HUMBLY SHEWETH:

1. That the Applicant intends to take summary proceedings against [A.B.] in the sheriff court of (*place*).
2. That there are also summary proceedings against [A.B.] in the sheriff court of (*place*) in the sheriffdom of (*place*).
3. That it would be expedient for the different cases involved to be dealt with by the same court for the following reasons: (*here narrate reasons*).
4. That Sheriff (*name*) of the sheriffdom of (*place*) consents to this application.

MAY IT THEREFORE PLEASE YOUR LORDSHIP—

under section 137B(2A) of the Criminal Procedure (Scotland) Act 1995 and with the consent of Sheriff (*name*) of the sheriffdom of (*place*) to grant authority that the said intended summary proceedings against [A.B.] be taken at the sheriff court of (*place*) in the sheriffdom of (*place*) at (*time*).

IN RESPECT WHEREOF

(*signed*)

Procurator Fiscal

(*Name, place and date*)

**Form 17A.1-EApplication for revocation or variation of order under section 137B(3) of the Criminal Procedure (Scotland) Act 1995**

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Rule 17A.1(1)(e)

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

APPLICATION

under section 137B(3) of the Criminal Procedure (Scotland) Act 1995

by

THE PROCURATOR FISCAL *(place)*

HUMBLY SHEWETH:

1. That on *(date of order)* your Lordship made an order under section 137B(2) of the Criminal Procedure (Scotland) Act 1995 transferring the summary proceedings listed in the attached annex to the sheriff court of *(place)* and did adjourn said proceedings to a diet of that court on *(date)* at *(time)*.
2. That the applicant seeks to revoke [*or vary*] that order for the following reasons. *(here narrate circumstances justifying revocation or variation of order and narrate variation sought)*.
3. That the sheriff principal of *(place)* consents to this application.

MAY IT THEREFORE PLEASE YOUR LORDSHIP—

- (a) under section 137B(3) of the Criminal Procedure (Scotland) Act 1995 and with the consent of the sheriff principal of *(place)* to revoke [*or vary*] said order made on *(date)*; and
- (b) to order that the summary proceedings listed in the attached annex be transferred or further adjourned to the sheriff court of *(place)* in the sheriffdom of *(place)* at *(time)*;
- (c) where any future diet has been fixed to discharge that diet;
- (d) to order that the accused be cited or ordained to appear as appropriate; and
- (e) where appropriate, to order intimation of the change of diet to the accused.

IN RESPECT WHEREOF

*(signed)*

Procurator Fiscal

*(Name, place and date)*

**Form 17A.1-FApplication for revocation or variation of order under section 137B(4) of the Criminal Procedure (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 17A.1(1)(f)

UNTO THE HONOURABLE THE SHERIFF OF *(name of sheriffdom)*  
AT *(place)*  
APPLICATION  
under section 137B(4) of the Criminal Procedure (Scotland) Act 1995  
by  
THE PROCURATOR FISCAL *(place)*

HUMBLY SHEWETH:

1. That on *(date)* your Lordship made an order with the consent of Sheriff *(name)* of the sheriffdom of *(place)* under section 137B(2A) of the Criminal Procedure (Scotland) Act 1995 transferring summary proceedings against [A.B.] in the sheriff court of *(place)* to the sheriff court of *(place)* in the sheriffdom of *(place)* and did adjourn said proceedings to a diet of that court on *(date)* [or That on *(date)* your Lordship made an order with the consent of Sheriff *(name)* of the sheriffdom of *(place)* under section 137B(2A) of the Criminal Procedure (Scotland) Act 1995 for authority for summary proceedings against [A.B.] to be taken at the sheriff court of *(place)* in the sheriffdom of *(place)*.].
2. That the applicant seeks to revoke [or vary] that order for the following reasons: *(here narrate circumstances justifying revocation or variation of order and narrate variation sought)*.
3. That Sheriff *(name)* of the sheriffdom of *(place)* consents to this application.

MAY IT THEREFORE PLEASE YOUR LORDSHIP—

- (a) under section 137B(4) of the Criminal Procedure (Scotland) Act 1995 and with the consent of Sheriff *(name)* of the sheriffdom of *(place)* to revoke [or vary] said order made on *(date)*;
- (b) to order that the summary proceedings be transferred or further adjourned to the sheriff court of *(place)* in the sheriffdom of *(place)* at *(time)*;
- (c) where any future diet has been fixed to discharge that diet;
- (d) to order that the accused be cited or ordained to appear as appropriate; and
- (e) where appropriate, to order intimation of the change of diet to the accused.

IN RESPECT WHEREOF

*(signed)*

Procurator Fiscal

*(Name, place and date)*

**Form 17A.1-GApplication for transfer of summary custody proceedings under section 137C(1) of the Criminal Procedure (Scotland) Act 1995**

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Rule 17A.1(1)(g)

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

APPLICATION

under section 137C(1) of the Criminal Procedure (Scotland) Act 1995

by

THE PROCURATOR FISCAL *(place)*

HUMBLY SHEWETH:

1. That because of the following exceptional circumstances it is likely that there would be an unusually high number of accused persons appearing from custody for the first calling of cases in summary prosecutions in the sheriff courts in the sheriffdom of *(place)*: *(here narrate circumstances with reference, if appropriate, to a particular period)*.
2. That it would not be practicable for those courts to deal with all the cases involved.
3. That the sheriff principal of *(place)* consents to this application.

MAY IT THEREFORE PLEASE YOUR LORDSHIP—

- (a) under section 137C(3) of the Criminal Procedure (Scotland) Act 1995 and with the consent of the sheriff principal of *(place)* to order that no more than *(insert number of diets)* will call in the sheriff court of *(place)* in the sheriffdom of *(place)* and that all other of the summary proceedings against persons appearing from custody which would ordinarily call in the sheriff courts in the sheriffdom of *(place)* be taken at the sheriff court of *(place)* and then maintained there *[or at any sheriff court within the sheriffdom of (place) as may at the first calling of the case be appointed for further proceedings]*;
- (b) to order that the accused be cited or ordained to appear as appropriate to the court where the case is to call;
- (c) where appropriate, to order intimation of the change of diet to the accused; and
- (d) *(here specify, if appropriate, particular period or particular circumstances for which order is to have effect)*.

IN RESPECT WHEREOF

*(signed)*

Procurator Fiscal

*(Name, place and date)*

**Form 17A.1-HApplication for transfer of proceedings from justice of the peace court to sheriff court under section 137D(1) of the Criminal Procedure (Scotland) Act 1995**



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Rule 17A.1(h)

UNTO THE HONOURABLE THE SHERIFF OF (*name of sheriffdom*)  
AT (*place*)  
APPLICATION  
under section 137D(1) of the Criminal Procedure (Scotland) Act 1995  
by  
THE PROCURATOR FISCAL (*place*)

HUMBLY SHEWETH:

1. That on (*date*) at the sheriff court of (*place*) [A.B.] was convicted of (*specify offence(s)*) on summary complaint.
2. That those proceedings were continued to (*date*) at which time [A.B.] is due to be sentenced.
3. That on (*date*) at the justice of the peace court at (*place*) [A.B.] was convicted of (*specify offence(s)*).
4. That those proceedings were continued to (*date*) at which time [A.B.] is due to be sentenced.
5. That it would be expedient for the said cases against [A.B.] to be disposed of at the same court at the same time for the following reasons: (*here narrate reasons*).

MAY IT THEREFORE PLEASE YOUR LORDSHIP—

- (a) under section 137D(1) of the Criminal Procedure (Scotland) Act 1995 to order that said proceedings at the justice of the peace court at (*place*) be transferred to the sheriff court of (*place*);
- (b) to adjourn said proceedings to a diet of that court on (*date*) at (*time*);
- (c) to discharge the diet of the justice of the peace court on (*date*);
- (d) to order that the accused be cited or ordained to appear as appropriate; and
- (e) where appropriate, to order intimation of the change of diet to the accused.

IN RESPECT WHEREOF

(*signed*)

Procurator Fiscal

(*Name, place and date*)