

2015 No. 201

HIGH COURT OF JUSTICIARY

SHERIFF COURT

JUSTICE OF THE PEACE COURT

**Act of Adjournal (Criminal Procedure Rules 1996 Amendment)
(No. 3) (Miscellaneous) 2015**

Made - - - - - *20th May 2015*

Laid before the Scottish Parliament *22nd May 2015*

Coming into force - - - *8th June 2015*

The High Court of Justiciary makes this Act of Adjournal under the powers conferred by section 305 of the Criminal Procedure (Scotland) Act 1995(a), and all other powers enabling it to do so.

Citation, commencement etc.

1.—(1) This Act of Adjournal may be cited as the Act of Adjournal (Criminal Procedure Rules 1996 Amendment) (No. 3) (Miscellaneous) 2015.

(2) It comes into force on 8th June 2015.

(3) A certified copy of this Act of Adjournal is to be inserted in the Books of Adjournal.

Amendment of the Act of Adjournal (Criminal Procedure Rules) 1996

2.—(1) The Criminal Procedure Rules 1996(b) are amended in accordance with this paragraph.

(2) In rule 61.9(1) (where competent authority not known)(c), for “61.3(4)” substitute “61.3(3)”.

(3) For Form 16.1–C (form of reply to complaint)(d) substitute Form 16.1–C set out in the Schedule to this Act of Adjournal.

(4) In Form 61.6–B (form of information regarding a non-harassment order under section 254D of the Criminal Procedure (Scotland) Act 1995(e), for paragraph (b) substitute—

(a) 1995 c.46.

(b) The Criminal Procedure Rules 1996 are in Schedule 2 to the Act of Adjournal (Criminal Procedure Rules) 1996 (S.I. 1996/513, last amended by S.S.I. 2015/121).

(c) Rule 61.9 was inserted by S.S.I. 2015/121.

(d) Form 16.1–C was amended by S.S.I. 2004/195.

(e) Form 61.6–B was inserted by S.S.I. 2015/121.

“(b) on summary conviction, to imprisonment for a period not exceeding 12 months or to a fine not exceeding the statutory maximum or to both such imprisonment and such fine.”.

BRIAN GILL
Lord Justice General
I.P.D.

Edinburgh
20th May 2015

SCHEDULE

Paragraph 2(3)

Form 16.1-C

Rule 16.1(3)(a)

Form of reply to complaint

REPLY FORM

PF REF

COURT DATE

SHERIFF COURT AT

PLEASE COMPLETE WHICHEVER SECTION APPLIES

1. PLEADING NOT GUILTY

I PLEAD NOT GUILTY. Please send me a note of the date of trial.

Signed Date

PLEASE NOW RETURN THIS FORM IN THE ENVELOPE PROVIDED

2. PLEADING GUILTY

I PLEAD GUILTY TO THE CHARGE(S)

except

Signed Date

PLEASE CONTINUE TO COMPLETE THIS FORM

MOTORING OFFENCES

If you are pleading guilty to a motoring offence:

- PLEASE SEND YOUR DRIVING LICENCE (PAPER LICENCE OR PHOTOCARD LICENCE BUT NOT YOUR HGV LICENCE) WITH THIS FORM.
- THE COURT IS LIKELY TO RELY ON YOUR DRIVING RECORD TO ESTABLISH WHAT, IF ANY, ENDORSEMENTS ARE ON YOUR DRIVING LICENCE. YOUR DRIVING RECORD IS AN ELECTRONIC RECORD HELD BY DVLA. YOU CAN CHECK YOUR DRIVING RECORD BY CONTACTING THE DVLA ONLINE AT www.gov.uk/view-driving-licence OR BY TELEPHONE BY CONTACTING THE DVLA ENQUIRY LINE ON 0300 790 6801.

NAME AND ADDRESS OF ACCUSED

DATE OF BIRTH

Check that your name, address and date of birth are shown correctly.

Please correct anything that is wrong.

ONLY COMPLETE THIS SECTION IF PLEADING GUILTY

PREVIOUS CONVICTIONS

If previous convictions are attached to your complaint please tick the appropriate box.

I ADMIT THE PREVIOUS CONVICTIONS

I DO NOT ADMIT THE PREVIOUS CONVICTIONS

I ADMIT THE PREVIOUS CONVICTIONS EXCEPT THOSE LISTED BELOW

NOTE: If convictions are listed and you do not complete this section, the court will take it that you admit all of them.

CAN I SEND A WRITTEN EXPLANATION?

YES. If you want to, use the space below and continue on a separate sheet if required.

PLEASE CHECK YOU HAVE SIGNED THE FORM AT THE PROPER PLACE AND RETURN IT IN THE ENVELOPE PROVIDED.

FOR OFFICIAL USE ONLY

D.L.

Documents Returned

Other Documents

EXPLANATORY NOTE

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

This Act of Adjournal amends the Criminal Procedure Rules 1996 by modifying Form 16.1-C to reflect the abolition of driving licence counterparts. It also corrects drafting errors in rule 61.9 and in Form 61.6-B.

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