



Criminal Justice (Scotland) Act 1949

1949 CHAPTER 94

PART I

POWERS AND PROCEEDINGS OF COURTS

Miscellaneous provisions relating to jurisdiction, procedure, appeals, etc.

49 Amendment of Summary Jurisdiction (Scotland) Act, 1908

For sections sixty-five, sixty-six and sixty-seven of the Summary Jurisdiction (Scotland) Act, 1908, there shall be substituted the following sections:—

- (1) Within one month after receipt of the draft case under the last foregoing section each party shall cause to be transmitted to the judge against whose judgment the appeal is taken and to the other parties a note of any adjustments he desires to have made on the draft case or intimate that he has no such adjustments to suggest, and if the appellant fails so to do he shall be deemed to have abandoned his appeal, and in any such case the court shall have the like power to grant warrant for his apprehension and imprisonment as is conferred by section sixty-three of this Act.
- (2) Within fourteen days after receipt of any such adjustments or intimation as aforesaid the judge against whose judgment the appeal is taken shall (unless the appellant is deemed to have abandoned his appeal), after considering any such adjustments state and sign the case.

As soon as the case shall be signed by the judge against whose judgment the appeal is taken the clerk of court shall send it to the appellant and transmit the complaint, productions and any other proceedings in the cause to the clerk of justiciary.

- (1) The appellant shall within five days after receiving the case send a copy of it to the respondent and cause it to be transmitted to or lodged with the clerk of justiciary together with a certificate by himself or his agent that a copy has

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been sent to the respondent in accordance with the requirement hereinbefore contained.

- (2) If the appellant fails to comply with the last foregoing subsection he shall be deemed to have abandoned his appeal, and the court shall have the like power to grant warrant for his apprehension and imprisonment as is conferred by section sixty-three of this Act.”