

SCHEDULE

Paragraph 2(2)

Rule 37.4

FORM 37.4

**Form of petition under section 25 or 26 of  
the Proceeds of Crime (Scotland) Act 1995**

UNTO THE RIGHT HONOURABLE THE LORD JUSTICE GENERAL, THE LORD JUSTICE  
CLERK and LORDS COMMISSIONERS OF JUSTICIARY

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

AT (*place*)]

**PETITION**

of

[A.B.] (*address*)

PETITIONER

HUMBLY SHEWETH:

1. That the Petitioner is (*name*) and resides at (*address*).

2. That on (*date*) the court in the case of Her Majesty's Advocate [or Procurator Fiscal] against (*name and address*) made an order under section 21 of the Proceeds of Crime (Scotland) Act 1995 forfeiting (*specify property and, for heritable property in Scotland, state conveyancing description (unless already stated in suspended forfeiture order) and date and county of recording of a certified copy of the suspended forfeiture order in the General Register of Sasines or, as the case may be, the Title Number under which a certified copy of the suspended forfeiture order was registered in the Land Register of Scotland*).

3. That (*state the relevant facts in support of grant of order*).

MAY IT THEREFORE please your Lordship(s):

(1) to appoint intimation of this petition to be made to (*specify*);

(2) to appoint parties to be heard thereon on the earliest practicable date thereafter; and

(3) thereafter, on being duly satisfied in terms of section 25(1)(a) [or section 26(1)(a)] of the Proceeds of Crime (Scotland) Act 1995, to make an order under section 25 [ or section 26] of that Act; and to do further or otherwise as to your Lordship(s) shall seem proper.

ACCORDING TO JUSTICE, etc

(*Signed*)

Petitioner

[or Solicitor for Petitioner]

(*Address and telephone number of Solicitor*)

Rule 37.5

**Status:** This is the original version (as it was originally made).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

## FORM 37.5

### **Form of note of appeal under section 27 of the Proceeds of Crime (Scotland) Act 1995**

IN THE HIGH COURT OF JUSTICIARY

[or IN THE SHERIFF COURT]

AT

*(place)*

NOTE OF APPEAL

under the Proceeds of Crime (Scotland) Act 1995

by

[A.B.] *(address)*

APPELLANT

against

[C.D.] *(address)*

RESPONDENT

1. The appellant appeals to the High Court of Justiciary against the refusal of an application under section 25(1) [or the granting of an application under section 26(1)] of the Proceeds of Crime (Scotland) Act 1995 in the above court on *(date)*.

2. The ground(s) of appeal is (are):

*(here set out the ground(s))*

*(Signed)*

Appellant

[or Solicitor for appellant]

*(Address and telephone number of solicitor)*

*(Place and date)*