
SCOTTISH STATUTORY INSTRUMENTS

2014 No. 349

**HIGH COURT OF JUSTICIARY
SHERIFF COURT
JUSTICE OF THE PEACE COURT**

**Act of Adjournal (Criminal Procedure Rules
Amendment No. 2) (Miscellaneous) 2014**

Made - - - - *3rd December 2014*
Laid before the Scottish
Parliament - - - - *3rd December 2014*
Coming into force - - *4th December 2014*

The Lord Justice General, the Lord Justice Clerk and the Lords Commissioners of Justiciary, under and by virtue of the powers conferred on them by section 305 of the Criminal Procedure (Scotland) Act 1995(1), and all other powers enabling them in that behalf, do hereby enact and declare:

Citation, commencement etc.

1. (1) This Act of Adjournal may be cited as the Act of Adjournal (Criminal Procedure Rules Amendment No. 2) (Miscellaneous) 2014.

(2) It comes into force on 4th December 2014.

(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(2) are amended in accordance with the following subparagraphs.

(2) For Form 20.3A-B(3), substitute Form 20.3A-B set out in Part 1 of the Schedule to this Act of Sederunt.

(1) 1995 c.46.

(2) The Criminal Procedure Rules 1996 are contained in Schedule 2 to the Act of Adjournal (Criminal Procedure Rules) 1996 (S.I. 1996/513, last amended by S.S.I. 2014/242).

(3) Form 20.3A-B was amended by S.S.I. 2013/196.

Status: This is the original version (as it was originally made).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

(3) In paragraph (h) of Form 54.1(4), for point 3 substitute the text set out in Part 2 of the Schedule to this Act of Adjournal.

Edinburgh
3rd December 2014

BRIAN GILL
Lord Justice General
I.P.D.

(4) Form 54.1 was inserted by [S.S.I. 2009/345](#).

SCHEDULE

Paragraph 2(2) and (3)

PART 1

Form 20.3A-

Rule 20.3A(2)

**Form of notice of requirement to notify police
Offences Act 2003**

NOTICE OF REQUIREMENT TO NOTIFY POLICE

(This notice contains a summary of the notification requirements. It does not contain a complete statement of the law. If you need further explanation, you should consult a solicitor)

You have been convicted of [*or* found not guilty by reason of insanity or mental disability and to have done the act charged against you in the Sexual Offences Act 2003. The details are set out in the notice which is attached to this notice [*or* will be sent to you].

This means that you are now required by law to notify the police of your whereabouts. (Otherwise stated, the required information must be provided to the police in custody, within 3 days of your release)

You must notify the police

- (1) Of your name and any other names you use or have used and your address (*i.e.* your sole or main residence in the UK)

- (9) Whether you hold (either in your own name or jointly with another person) any account(s) with a credit card provider.
- (10) Whether any unincorporated business which you (or any other person) holds any account(s) with a credit card provider.
- (11) Whether you hold a credit card(s) in connection with any of the accounts described in paragraphs (9) or (10).
- (12) If you hold any bank account(s) as described in paragraph (9) or (10) of
 - (a) the name of the bank;
 - (b) the address of the office where the account is held;
 - (c) the account number and sort code.
- (13) If you hold any bank account(s) as described in paragraph (10) of
 - (a) the name of the bank;
 - (b) the address of the office where the account is held;
 - (c) the account number and sort code;
 - (d) the name of the business in which the account is held.
- (14) If you hold any debit card(s) as described in paragraph (9) or (10) of
 - (a) the card number of each debit card;
 - (b) the validation date of each debit card;
 - (c) the expiry date of each debit card;

These requirements apply to you from [*date of conviction* for 5 years [*or for 7 years*] [*or for 10 years*] [*or for the d indefinitely*].

If you fail to comply with these requirements without rea information, you could be fined, or sent to prison for up

PART 2

3. Indicate if the person concerned appeared in person

1. Yes, the person appeared in person at the trial

2. No, the person did not appear in person

3. If you have ticked the box under point 2, please provide the following:

3.1.a. the person was summoned in person and was informed of the scheduled date of the trial, the decision and was informed that she does not appear for the trial;

OR

3.1.b. the person was not summoned in person and no official information of the scheduled date of the trial resulted in the decision, in such a way that it is established that he or she was aware of the trial and was informed that a decision may be made and that he or she should appear for the trial;

OR

3.2 the person was not summoned in person and was not aware of the scheduled trial and was not informed by a legal counsellor, who was either a member of the State, to defend him or her and that counsellor at the trial;

OR

- 3.4 the person, having been expressly given the possibility to appear in person, has the right to an oral hearing and has not contested the case.

4. If you have ticked the box under points 3.1b, 3.2, 3.3, 3.4 about how the relevant condition has been met:

.....

.....

EXPLANATORY NOTE

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

This Act of Adjournal substitutes Form 20.3A-B of the Criminal Procedure Rules 1996 to make the notification requirements following conviction for a sexual offence clearer.

In addition, it amends Form 54.1 to provide additional procedural safeguards when financial penalties imposed in absence in other European Union jurisdictions are being collected by the Scottish Courts.

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