

ACT OF ADJOURNAL (CRIMINAL PROCEDURE RULES) 1996 SI 1996/513

SCHEDULE 2

CRIMINAL PROCEDURE RULES 1996

PART IV Summary proceedings

CHAPTER 17A TRANSFER OF SUMMARY PROCEEDINGS

Transfer of summary proceedings

17A.1.—(1) A written application by the procurator fiscal under—

- (a) section 137A(1) or section 137CA(2) of the Act of 1995 (transfer within sheriffdom)(**1**)(**2**) shall be in Form 17A.1-A;
- (b) section 137B(1) or section 137CB(2) of the Act of 1995 (transfer outwith sheriffdom due to exceptional circumstances)(**3**) shall be in Form 17A.1-B;
- (c) section 137B(1A) or section 137CB(4) of the Act of 1995 (transfer outwith sheriffdom where accused cited to attend diet in other summary proceedings or other summary proceedings commenced) shall be in Form 17A.1-C;
- (d) section 137B(1C) or section 137CB(6) of the Act of 1995 (transfer outwith sheriffdom: intention to take summary proceedings where other summary proceedings commenced) shall be in Form 17A.1-D;
- (e) section 137B(3) or section 137CB(9) of the Act of 1995 (transfer outwith sheriffdom due to exceptional circumstances: revocation or variation of order) shall be in Form 17A.1-E;
- (f) section 137B(4) or section 137CB(10) of the Act of 1995 (transfer outwith sheriffdom where other summary proceedings commenced or intended: revocation or variation of order) shall be in Form 17A.1-F;
- (g) section 137C(1) or section 137CC(2) of the Act of 1995 (initiating custody cases outwith sheriffdom: exceptional circumstances)(**4**) shall be in Form 17A.1-G;
- (h) section 137D(1) of the Act of 1995 (transfer of justice of the peace court proceedings where accused person to be sentenced in sheriff court)(**5**) shall be in Form 17A.1-H.

(2) Where the sheriff principal consents to an application under paragraph (1)(b), (e) or (g), he shall docquet his consent to the application.

(1) Section 137A was inserted by section 58 of the Criminal Justice (Scotland) Act 2003 (asp 7) and amended by section 22 of the Criminal Proceedings etc. (Reform) (Scotland) Act 2007 (asp 6).

(2) Sections 137CA to 137CC inserted by section 61 of the Criminal Justice and Licensing (Scotland) Act 2010 (asp 13)

(3) Section 137B was inserted by section 58 of the Criminal Justice (Scotland) Act 2003 (asp 7). Subsection (1) was amended by, and subsections (1A) and (1C) were inserted by, section 22 of the Criminal Proceedings etc. (Reform) (Scotland) Act 2007 (asp 6).

(4) Section 137C was inserted by section 22 of the Criminal Proceedings etc. (Reform) (Scotland) Act 2007 (asp 6).

(5) Section 137D was inserted by section 22 of the Criminal Proceedings etc. (Reform) (Scotland) Act 2007 (asp 6).

(3) Where a sheriff consents to an application under paragraph (1)(c), (d) or (f), he shall docquet his consent to the application