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**ACT OF ADJOURNAL (CRIMINAL PROCEDURE RULES) 1996 SI 1996/513**  
**APPENDIX Part 5 - FORMS 40.01 to 49.99**

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### **FINANCIAL REPORTING ORDERS**

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FORM 40.2A Form of minute of notice of intention to raise a devolution issue

Rule 40.2(1) UNTO THE RIGHT HONOURABLE THE LORD JUSTICE GENERAL,  
LORD JUSTICE-CLERK AND LORDS COMMISSIONERS OF  
JUSTICIARY

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

AT (place)]

MINUTE

by

[A.B.] (address)

[or Prisoner in the Prison of (place)]

HUMBLY SHEWETH:

1. That [name of accused] has been indicted at the instance of Her Majesty's Advocate for preliminary hearing in the High Court of Justiciary sitting at (place) on (date) [or sheriff court at (place) on (date) with a first diet on (date)].

2. That [A.B.] intends to raise a devolution issue within the meaning of Schedule 6 to the Scotland Act 1998/Schedule 10 to the Northern Ireland Act 1998/Schedule 9 to the Government of Wales Act 2006 on the following grounds (here specify the facts and circumstances and contentions of law which are alleged to give rise to the devolution issue)

3. That a copy of this minute has been duly intimated to Her Majesty's Advocate [and to (name(s) of co-accused)] and to the relevant authority within the meaning of Rule 40.1 conform to execution[s] attached to this minute.

MAY IT THEREFORE PLEASE YOUR LORDSHIP[S]:

to order that there be a diet and to assign a date for that diet;

IN RESPECT WHEREOF

[Solicitor for minuter]  
(Address and telephone number of solicitor)  
(Place and date)

FORM  
40.2A-A

Form of notice to Advocate General of appeal in relation to a  
devolution issue

Rule 40.2A

IN THE HIGH COURT OF JUSTICIARY

[or IN THE SHERIFF COURT]

AT

(place)]

To: (name and address of Advocate General)

Name of appellant:

Date:

TAKE NOTICE:

1. That on (date) the High Court of Justiciary [or sheriff court] at (place) determined a devolution issue intimated to you on (specify date of intimation).
2. That the appellant appeals against that decision.
3. A copy of the note of appeal is enclosed.

(Signed)

Solicitor for appellant

FORM 40.2B Form of notice of intervention by relevant authority

Rule 40.2(3)

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

[UNTO THE HONOURABLE THE SHERIFF OF (name of sherrifdom)

AT (place)]

NOTICE

by

[C.D.] (address)

HUMBLY SHEWETH:

1. That [name of accused] has been indicted at the instance of Her Majesty's Advocate for preliminary hearing in the High Court of Justiciary sitting at (place) on (date) [or sheriff court at (place) on (date) with a first diet on (date)]

2. That [C. D.] (here specify the name and title of the relevant authority and the fact of the intimation of the devolution issue) intends to take part in the proceedings so far as they relate to the devolution issue

3. That a copy of this notice has been duly intimated to Her Majesty's Advocate [and to said (name(s) of accused)] and to any other relevant authority within the meaning of Rule 40.1 conform to execution[s] attached to this minute.

IN RESPECT WHEREOF

[Solicitor for the relevant authority]

(Address and telephone number of solicitor)

(Place and date)

FORM 40.3A Form of minute of notice of intention to raise a devolution issue

Rule 40.3(1) UNTO THE HONOURABLE THE SHERIFF OF (name of sheriffdom)  
AT (place)

[or UNTO THE JUSTICES in the JUSTICE OF THE PEACE COURT OF  
(name of district)

AT (place)]

MINUTE

By

[E.F.] (address)

[or Prisoner in the Prison of (place)]

HUMBLY SHEWETH:

1. That [name of accused] has been charged at the instance of [G. H.] procurator fiscal at (place) with the crime [or offence] of (specify) and a diet is fixed for (specify date).

2. That [E.F.] intends to raise a devolution issue within the meaning of Schedule 6 to the Scotland Act 1998/Schedule 10 to the Northern Ireland Act 1998/Schedule 9 to the Government of Wales Act 2006 on the following grounds (here specify the facts and circumstances and contentions of law which are alleged to give rise to the devolution issue).

3. That a copy of this minute has been duly intimated to the said G.H., procurator fiscal [and to said (name(s) of co-accused)] and to the relevant authority within the meaning of Rule 40.1 conform to execution[s] attached to this minute.

MAY IT THEREFORE PLEASE YOUR LORDSHIP [or THE COURT]:

to order that there be a diet to determine the devolution issue and to assign a date for that diet;

IN RESPECT WHEREOF

[Solicitor for minuter]  
(Address and telephone number of solicitor)  
(Place and date)

FORM  
40.3A-A

Form of notice to Advocate General of appeal in relation to a  
devolution issue

Rule 40.3A

IN THE SHERIFF COURT

[or IN THE JUSTICE OF THE PEACE COURT]

AT

(place)]

To: (name and address of Advocate General)

Name of appellant:

Date:

TAKE NOTICE:

1. That on (date) the Sheriff Court [or the Justice of the Peace Court] at (place) determined a devolution issue intimated to you on (specify date of intimation).
2. That the appellant appeals against that decision.
3. A copy of the application for a stated case [or note of appeal] is enclosed.

(Signed)

Solicitor for appellant

FORM 40.3B Form of notice of intervention by relevant authority

Rule 40.3(3)

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

***AT*** (place)

***[or UNTO THE JUSTICES in the JUSTICE OF THE PEACE  
COURT OF*** (name of district) ***AT*** (place)]

***NOTICE***

***by***

***[J.K.]*** (address)

***HUMBLY SHEWETH:***

***1. That [name of accused] has been charged at the instance of [G.H.], procurator fiscal at (place) with the crime [or offence] of (specify) and a diet has been fixed for (specify date).***

***2. That [J.K.] (here specify the name and title of the relevant authority and the fact of the intimation of the devolution issue) intends to take part in the proceedings so far as they relate to the devolution issue.***

***3. That a copy of this notice has been duly intimated to the said G. H., procurator fiscal [and to said (name(s) of accused)] and to any other relevant authority within the meaning of Rule 40.1 conform to execution[s] attached to this minute.***

***IN RESPECT WHEREOF***

***[Solicitor for the relevant authority)***

**(Address and telephone number of solicitor)**

**(Place and date)**

FORM 40.4A Form of minute of notice of intention to raise a devolution issue

Rule 40.4(2)

***UNTO THE RIGHT HONOURABLE THE LORD JUSTICE  
GENERAL, LORD JUSTICE-CLERK AND LORDS  
COMMISSIONERS OF JUSTICIARY***

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

***AT (place)]***

***[or UNTO THE JUSTICES in the JUSTICE OF THE PEACE  
COURT OF (name of district) AT (place)]***

***MINUTE***

***by***

***[L.M.] (address)***

***[or Prisoner in the Prison of (place)]***

***HUMBLY SHEWETH:***

***1. That (here specify the nature of the proceedings, the names of the parties and the date of any diet fixed).***

***2. That [L.M.] intends to raise a devolution issue within the meaning of Schedule 6 to the Scotland Act 1998/Schedule 10 to the Northern Ireland Act 1998/Schedule 9 to the Government of Wales Act 2006 on the following grounds (here specify the facts and circumstances and contentions of law which are alleged to give rise to the devolution issue)***

***3. That a copy of this minute has been duly intimated to Her Majesty's Advocate [and to (names of any other parties to the proceedings)] and to the relevant authority within the meaning of Rule 40.1 conform to execution[s] attached to this minute.***

***MAY IT THEREFORE PLEASE YOUR LORDSHIP[S] [OR THE COURT]:***

***to order that there be a diet and to assign a date for that diet;***

***IN RESPECT WHEREOF***

***[Solicitor for minuter]***

***(Address and telephone number of solicitor)***

***(Place and date)***

FORM  
40.4A-A

Form of notice to Advocate General of appeal in relation to a  
devolution issue

Rule 40.4A

***IN THE HIGH COURT OF JUSTICIARY***

***[or IN THE SHERIFF COURT]***

***[or IN THE JUSTICE OF THE PEACE COURT]***

***AT***

***(place)***

***To: (name and address of Advocate General)***

***Name of appellant:***

***Date:***

***TAKE NOTICE:***

***1. That on (date) the High Court of Justiciary [or sheriff court] [or the Justice of the Peace Court] at (place) determined a devolution issue intimated to you on (specify date of intimation).***

***2. That the appellant appeals against that decision.***

***3. A copy of the note of appeal [or specify] is enclosed.***

**(Signed)**

***Solicitor for appellant***

FORM 40.4B Form of notice of intervention by relevant authority

Rule 40.4(4)

***UNTO THE RIGHT HONOURABLE THE LORD JUSTICE  
GENERAL, LORD JUSTICE-CLERK AND LORDS  
COMMISSIONERS OF JUSTICIARY***

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

***AT (place)]***

***[or UNTO THE JUSTICES in the JUSTICE OF THE PEACE  
COURT OF (name of district) AT (place)]***

***NOTICE***

***by***

***[N.O.] (address)***

***HUMBLY SHEWETH:***

***1. That (here specify the nature of the proceedings, the names of the parties and the date of any diet fixed).***

***2. That [N.O.] (here specify the name and title of the relevant authority and the fact of the intimation of the devolution issue) intends to take part in the proceedings so far as they relate to the devolution issue.***

***3. That a copy of this notice has been duly intimated to Her Majesty's Advocate [and to said (name(s) of other parties)] and to any other relevant authority within the meaning of Rule 40.1 conform to execution[s] attached to this minute.***

***IN RESPECT WHEREOF***

***[Solicitor for the relevant authority]***

***(Address and telephone number of solicitor)***

**(Place and date)**

FORM  
40.7

Form of notice to relevant authority of reference of devolution issue  
to High Court of Justiciary

Rule 40.7

***IN THE HIGH COURT OF JUSTICIARY***

***[or IN THE SHERIFF COURT]***

***[or IN THE JUSTICE OF THE PEACE COURT]***

***AT***

***(place)***

***To: (name and address of relevant authority)***

***Name of appellant:***

***Date:***

***TAKE NOTICE:***

***1. That on (date) the High Court of Justiciary [or the sheriff court] [or the Justice of the Peace Court] at (place) decided to refer a devolution issue to the High Court of Justiciary under paragraph 9 of Schedule 6 to the Scotland Act 1998 [or paragraph 27 of Schedule 10 to the Northern Ireland Act 1998] [or paragraph 17 of Schedule 9 to the Government of Wales Act 2006].***

***2. A copy of the order of the court is enclosed.***

**(Signed)**

***Clerk of Court***

FORM 40.12

Form of intimation to a relevant authority that the court is considering making an order under [section 102 of the Scotland Act 1998/section 81 of the Northern Ireland Act 1998/section 153 of the Government of Wales Act 2006]

Rule 40.12

**To: (name and address of relevant authority)**

***1. You are given notice that in criminal proceedings in the [High Court of Justiciary/Sheriff/Justice of the Peace Court at (place)], at the instance of (name and title of prosecutor) against (name of accused) the court has decided [that an Act/provision of an Act of the Scottish Parliament is not within the legislative competence of the Parliament] [a member of the Scottish Executive does not have the power to make, confirm or approve a provision of subordinate legislation he has purported to make, confirm or approve]. A copy of the relevant decision is enclosed.***

***2. The court is considering whether to make an order [removing or limiting the retrospective effect of the decision/suspending the effect of the decision to allow the defect to be corrected].***

***3. If you wish to take part as a party to the proceedings so far as they relate to the making of the order mentioned in paragraph 2 you must lodge with (title and address of clerk of court) a notice in writing stating that you intend to take part as a party in the proceedings. The notice must be lodged within 7 days of (insert date on which intimation was given).***

***Date (insert date)***

**(Signed)**

***Clerk of Court***

***IN THE HIGH COURT OF JUSTICIARY***

***AT (place)***

***IN***

***HER MAJESTY'S ADVOCATE***

***against***

***[C.D.] (address or Prisoner in the Prison of {place})***

***Date: (date of posting or other method of service)***

***To: (specify Minister or other person on whom notice is to be served)***

***TAKE NOTICE***

***That the court is considering whether or not to [or. That (specify party) is seeking that the court] make a declaration under section (specify section 4(2), in relation to primary legislation or section 4(4) in relation to subordinate legislation) of the Human Rights Act 1998 that (specify the primary or subordinate legislation which is the subject of the proposed declaration) is incompatible with (specify the Convention right) for the following reasons:***

***(set out the reasons in summary).***

***You may apply to become a party to the proceedings. If you wish to do so you should notify the Deputy Principal Clerk of Justiciary in Form 41.3 - B.***

***(Signed)***

***Deputy Principal Clerk of Justiciary***

***[or Solicitor [or Agent] for (specify)]***



FORM 41.3-B Form of notice to court under section 5(2) of the 1998 Act

Rule 41

***IN THE HIGH COURT OF JUSTICIARY***

***in***

***HER MAJESTY'S ADVOCATE***

***against***

***[C.D.] (address or Prisoner in the Prison of {place})***

***To the Deputy Principal Clerk of Justiciary***

***The (specify Minister or other person) intends to join as a party to these proceedings.***

***(Signed)***

***Solicitor for (specify Minister of other person)***

***(Address)***

FORM 41.4

*Form of minute under Rule 41.4*

Rule 41.4

***IN THE HIGH COURT OF JUSTICIARY***

***MINUTE***

By

[A.B.] (*designation and address*)

*in*

***HER MAJESTY'S ADVOCATE***

***against***

***[C.D.] (address or Prisoner in the Prison of {place})***

- 1. The Minuter lodged a Notice under section 5(2) of the Human Rights Act 1998 on (date).***
- 2. The position of the Minuter as to the proposed declaration of incompatibility is as follows:-***

***(here specify the position of the Minuter including where appropriate a summary of any facts on which the Minuter proposes to rely, of any propositions of law which the Minuter proposes to advance and of any argument which the Minuter proposes to make)***

***(Signed)***

***Solicitor for (specify Minister or other person)***

FORM 42.2

HIGH COURT OF JUSTICIARY

**CONVENTION RIGHTS (COMPLIANCE) (SCOTLAND) ACT 2001**

Rule 42.2

To:

CROWN AGENT;

SOLICITOR FOR EXISTING LIFE PRISONER (*If no solicitor, to the existing life prisoner*);

THE GOVERNOR, HM Prison, Edinburgh;

THE GOVERNOR, HM Prison, (*enter name of prison in which existing life prisoner is detained*);

*In the case of a life prisoner who is detained in a hospital-*

THE MEDICAL DIRECTOR, (*enter name of hospital in which life prisoner is detained*) Hospital; and

SCOTTISH EXECUTIVE HEALTH DEPARTMENT (*for the attention of Ms R Toal*);

SCOTTISH EXECUTIVE JUSTICE DEPARTMENT

SCOTTISH PRISON SERVICE HEADQUARTERS [*for the attention of Craig Oliver & Michael Godley*]

**FIXING OF PUNISHMENT PART OF MANDATORY LIFE SENTENCE**

***Name of Life Prisoner:***

***Prisoner in the Prison of* (enter name of prison in which existing life prisoner is detained)**

***In the case of a life prisoner who is detained in a hospital-***

***Restricted patient (who is a life prisoner) in* (enter name of hospital in which life prisoner is detained) *Hospital***

***TAKE NOTICE that the Court has fixed***

*the day of at 10 o'clock as a diet for the hearing of the  
above at High Court.*

***JUSTICIARY OFFICE***

***LAWNMARKET***

***EDINBURGH***

***EH1 2NT***

***Clerk of Justiciary***

***Date***

FORM 44.2

Form of notice of consent to surrender under section 7 of the  
International Criminal Court Act 2001

Rule 44.2

(a) Whereas on the (*enter day*) day of (*enter month*) 20 , I was arrested in pursuance of a warrant under section 2 of the International Criminal Court Act 2001 with a view to a delivery order being made providing for me to be delivered up into the custody of the International Criminal Court.

or

(b) Whereas on the (*enter day*) day of (*enter month*) 20 , I was convicted by the International Criminal Court and on the (*enter day*) day of (*enter month*) 20 , I was arrested in pursuance of a warrant under section 2 of the International Criminal Court Act 2001 with a view to a delivery order being made providing for me to be delivered up into the custody of [the International Criminal Court] [the state of enforcement (*insert name of the state of enforcement*)].

And whereas I understand that, unless I consent to my delivery, I shall have the right:

(a) to make representations at delivery proceedings as to the matters of which the competent court is to be satisfied before making a delivery order, and

(b) to make an application to the competent court at the time of the delivery proceedings for the determination of whether I was lawfully arrested in pursuance of the warrant and whether my rights have been respected, and

(c) if a delivery order is made, to seek a review of the delivery order, and

(d) not to have the delivery order executed against me until after the end of the period of 15 days beginning with the date on which the order is made.

***I therefore give notice of my consent to surrender to be delivered up into the custody of the International Criminal Court or into the custody of the state of enforcement (insert name of the state of enforcement), whichever is appropriate. I understand that by consenting to my surrender I waive my right to seek a review of the delivery order under section 12 of the International Criminal Court Act 2001 and I consent to the Secretary of State giving directions for the execution of the***

***delivery order before the period of 15 days has expired.***

***(Signed by the person to be delivered)***

**(Print and sign name)**

***or where it is inappropriate to act for themselves under section 7(2)(b) of the International Criminal Court Act 2001.***

***(Signed on their behalf)***

**(Print and sign name)**

***This notification was signed by the above-mentioned person in my presence on the (enter day) day of (enter month) 20 .***

***(Sheriff)***

FORM 44.3 Form of notice of waiver of the right to review under section 13 of the International Criminal Court Act 2001

Rule 44.3 (a) Whereas on the (*enter day*) day of (*enter month*) 20 , a competent court made a delivery order providing for me to be delivered up into the custody of the International Criminal Court.

or

(b) Whereas on the (*enter day*) day of (*enter month*) 20 , a competent court made a delivery order providing for me to be delivered up into the custody of the state of enforcement (*insert name of the state of enforcement*).

And whereas I understand that, unless I waive my right to seek a review of the delivery order I have the right:

(a) for the delivery order to be reviewed, and

(b) not to have the delivery order executed against me until after the end of the period of 15 days beginning with the date on which the order is made.

***I therefore give notice that I waive my right to seek a review of the delivery order and I consent to the Secretary of State giving directions for the execution of the delivery order before the period of 15 days has expired.***

***(Signed by the person to be delivered)***

***(Print and sign name)***

***or where it is inappropriate to act for themselves under section 13(2)(b) of the International Criminal Court Act 2001.***

***(Signed on their behalf)***

***(Print and sign name)***

***This notification was signed by the above-mentioned person in my presence on the (enter day) day of (enter month) 20 .***

***(Sheriff)***

FORM 46.2 Form of petition under section 90(1) of the Sexual Offences Act 2003

Rule 46.2 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*)  
[or UNTO THE JUSTICES in the JUSTICE OF THE PEACE COURT OF  
(*name of district*)

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 [C.D.], residing at (*specify address*) made a direction under section 89(1) of the Sexual Offences Act 2003 directing that any obligations imposed on young offender [C.D.] under sections 83 to 86 of the Sexual Offences Act 2003 were to be treated instead as obligations on [E.F.] as an individual having parental responsibilities in relation to [C.D.].

**3.** That the petitioner under section 90(1) of the Act of 2003, seeks to renew [or discharge] [or vary] the direction for the following reasons:-

(*here state reasons*)

MAY IT THEREFORE PLEASE YOUR LORDSHIP[S] [or THE COURT]:

(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, to make an order under section 90(1) to renew [or discharge] [or vary] the parental direction [by] (*here state the terms of the variation of direction sought*) and to do further and otherwise as to your Lordship[s] [or to the court] shall seem proper.

ACCORDING TO JUSTICE, etc.

*(Signed)*

Advocate Depute [*or* Procurator Fiscal]

On behalf of Her Majesty's Advocate [*or*]

[Solicitor for [A.B.]]

**(address and telephone number of solicitor)**

FORM 47A.1 Form of notice of reference under section 7 of the Protection of Vulnerable Groups (Scotland) Act 2007

Rule 47A Reference Number:

To: The Scottish Ministers

TAKE NOTICE

- 1 That the case of the individual named below is referred to you by the court under section 7(1) of the Protection of Vulnerable Groups (Scotland) Act 2007. That is because the individual has been convicted of a relevant offence.

[*or* That the case of the individual named below is referred to you by the court under section 7(3) of the Protection of Vulnerable Groups (Scotland) Act 2007. That is because the individual has been convicted of an offence (other than a relevant offence) and the court is satisfied that it may be appropriate for the individual to be listed in the children's list [*or* in the adults' list] [*or* in both the children's list and the adults' list].]

*(delete as appropriate)*

- 2 Name of individual: (*and any known aliases or former names*)

Address: (*specify last known address*)

Other addresses: (*specify any other known addresses in the last ten years*)

Date of birth: (*date*)

Gender: (*specify*)

3. Full details of the offence: (*specify*)

Including the following:

- (a) offence(s) convicted of;
- (b) date of conviction;
- (c) copy of the complaint or indictment;
- (d) extracts of the minutes of the proceedings of the court in which the individual was convicted recording details of the conviction;
- (e) details of the sentence or other disposal by the court of the individual's case, including details of any orders made by the court and any special conditions imposed;
- (f) copies of any reports submitted to the court in connection with the sentence or other disposal of the individual's case;

(g) details of any appeal lodged, final outcome of the appeal and copies of any reports relevant to the appeal.

4.

If known to the court, any evidence of any regulated work with children, or with adults, or both (within the meaning of section 91 of the Protection of Vulnerable Groups (Scotland) Act 2007) which the individual does, has done or is likely to do: *(specify)*

*(Signed)*

Depute Clerk of Justiciary [*or* Sheriff Clerk Depute]

Date: *(date)*

Court: *(specify)*

Address: *(specify)*

Telephone number: *(specify)*

E-mail address: *(specify)*

FORM 48.2

Form of sexual offences prevention order

Rule 48.2

SEXUAL OFFENCES PREVENTION ORDER

***COURT:***

***DATE:***

***OFFENDER:***

***Address:***

***Date of birth:***

***THE COURT, dealing with the offender in respect of an offence listed at paragraphs 36–60 of Schedule 3 to the Sexual Offences Act 2003, [or, dealing with the offender in respect of a finding that he is not guilty of an offence listed in Schedule 3 to the Sexual Offences Act 2003 by reason of insanity] [or, dealing with the offender in respect of a finding that the offender is under a disability and has done the act charged against him in respect of an offence listed in Schedule 3 to the Sexual Offences Act 2003], namely the offence(s) of (specify);***

***AND being satisfied that it is necessary for the purposes of protecting the public or any particular member of the public from serious sexual harm from the offender;***

***ORDERS that the offender shall for (specify period of not less than 5 years) from the date of this order be prohibited from (specify in numbered paragraphs the prohibitions imposed).***

**Signed**

***Clerk of Court***

FORM 48.3 Form of petition for variation, renewal or discharge of a sexual offences prevention order

Rule 48.3 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

HER MAJESTY'S ADVOCATE

[*or* [A.B.] (*address*)]

[*or* Prisoner at the Prison of (*place*)]

**PETITIONER**

**HUMBLY SHEWETH:**

***1. That there is annexed to this petition a copy of the sexual offences prevention order which was made by the sheriff at (place) [or by the High Court sitting at (place)] on (date).***

***[2. That the sexual offences prevention order has been varied or renewed as follows:– (specify details of any previous variation or renewal).]***

***2. That the petitioner seeks to renew [or discharge] [or vary] the sexual offences prevention order for the following reasons:– (here state reasons).***

**MAY IT THEREFORE PLEASE YOUR LORDSHIP[S]:**

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

***[A.B.] [or Her Majesty's Advocate];***

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

***(3) thereafter, on being duly satisfied, to make an order renewing [or discharging] [or varying] the sexual offences prevention order [by] (here state the terms of the variation of direction sought) and to do further and otherwise as to your Lordship[s] [or to the court] shall seem proper.***

***ACCORDING TO JUSTICE, etc.***

***(Signed)***

***Prosecutor [or]***

***[Solicitor for [A.B.]]***

***(address, e-mail address and telephone number of solicitor)***

FORM 49.2 Form of financial reporting order

Rule 49.2

## Financial Reporting Order

COURT:

DATE:

OFFENDER:

Address:

Date of birth:

***THE COURT, sentencing or otherwise dealing with the offender in respect of an offence mentioned in section 77(3) of the Serious Organised Crime and Police Act 2005 namely the offence(s) of (specify);***

***AND being satisfied, that the risk of the offender committing another offence mentioned in section 77(3) of that Act is sufficiently high to justify the making of a financial reporting order;***

***ORDERS that during a period of (specify length of period) from the date of this order the offender shall make reports to (specify person) in respect of the period of (specify length of period) beginning with the date of this order and subsequent period(s) of (specify length(s) of period(s)), each period beginning immediately after the end of the previous one; and that each report shall be made within (specify number) days after the end of the period in question; and that each report shall set out 9specify particulars of financial affairs to be provided and the manner in which they are to be provided); [and that (specify documents) shall be included with each report].***

(Signed)

CLERK OF COURT

FORM 49.3 Form of petition for variation or revocation of a financial reporting order

Rule 49.3 UNTO THE RIGHT HONOURABLE THE LORD JUSTICE GENERAL,  
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*) [*or Prisoner in the Prison of (place)*]

PETITIONER

HUMBLY SHEWETH:

1. That there is annexed to this petition a copy of the financial reporting order which was made by the sheriff at (*place*) [*or by the High Court sitting at (place) on (date)*].

[ 2. That the financial reporting order has been varied as follows:-  
(*specify details of any previous variation*) ]

3. That the petitioner seeks to vary [*or revoke*] the financial reporting order for the following reasons:-  
(*here state reasons*).

MAY IT THEREFORE PLEASE YOUR LORDSHIP[S]:

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

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

(3) to appoint intimation of the hearing to be made to (*specify*

*persons*); and

(4) thereafter, on being duly satisfied, to make an order varying or revoking the financial reporting order [by] (*here state the terms of the variation sought*) and to do further and otherwise as to your Lordship[s] [*or to the court*] shall seem proper.

ACCORDING TO JUSTICE ETC

**(Signed)**

***Petitioner***

[*or* Solicitor for Petitioner]

[Solicitor for [A.B.]

(*Address, e-mail address, and telephone number of solicitor*).