**FORM 72.4**

Rule 72.4(1)

**Form of application to vary or revoke an Overseas Production Order**

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)]

APPLICATION

of

[xxxx]

APPLICANT

for

Variation or revocation of an OVERSEAS PRODUCTION ORDER

under section 7 of the Crime (Overseas Production Orders) Act 2019

HUMBLY SHEWETH, that:

1. There is annexed to this application a copy of the overseas production order which was made [or varied] by the High Court sitting at (place) [or the sheriff at (place)] on (date).
2. The overseas production order was made by reference to (here state designated

international co-operation arrangement).

1. The applicant seeks to vary the overseas production order as follows (here state variation

sought including specification or description of the electronic data sought, the person or

description of person to whom the electronic data specified or described must be

produced/access given and the period by the end of which the electronic data specified or

described must be produced/access given) [or to revoke the overseas production order] for

the following reasons:- (here state reasons).

 [4.The requirements continue to be met for the making of an overseas production order in

terms of section 4 of the 2019 Act (here state details) and are fulfilled in relation to the

electronic data specified or described at paragraph 3 above.]

[5. There are reasonable grounds to believe that the electronic data specified or described in

the application consists of or includes journalistic data.]

 6 No electronic data is specified or described where there are reasonable grounds for

believing it consists of or includes excepted electronic data.

[7. The following non-disclosure requirement should be included in the overseas production

order [or The non-disclosure requirement in the order should be maintained] (here state

details including why it would be appropriate) until (here state details of expiry).]

 [8. That the information identified in the attached schedule should not be disclosed to the

persons specified in Rule 72.4(2)(b) for the following reasons (here state reasons).]

 [9. That the court should dispense with intimation for the following reasons:- (here state

reasons).]

 MAY IT THEREFORE PLEASE YOUR LORDSHIPS

 (1) To dispense with intimation to (specify persons) and to proceed to consider the

application;

[or

 (1) To appoint intimation of this application to be made to (specify persons);]

 (2) To appoint parties to be heard thereon;

 (3) Thereafter, on being duly satisfied, to make an order varying the overseas production

 order by (here state the terms of the variation sought) [or revoking the overseas

 enforcement order] [and maintaining the non-disclosure requirement in the overseas

 production order until expiry on (here state expiry details)] or to do further and otherwise

 as to the court shall seem proper.

ACCORDING TO JUSTICE, etc.

(signed)

Applicant

[or Solicitor for Applicant

(Address and telephone number of solicitor)]

(Place and date)