STATUTORY INSTRUMENTS

1980 No. 1929 (S.178)

HIGH COURT OF JUSTICIARY, SCOTLAND

Act of Adjournal (Edinburgh Book of Adjournal) 1980

Made - - - -	11*th December* 1980
Coming into operation	5*th January* 1981

The Lord Justice General, the Lord Justice Clerk and the Lords Commissioners of Justiciary, by virtue of the powers conferred upon them by section 282 of the Criminal Procedure (Scotland) Act 1975 (a), and of all other powers enabling them in that behalf, do hereby enact and declare—

Citation commencement and interpretation

1.—(1) This Act of Adjournal may be cited as the Act of Adjournal (Edinburgh Book of Adjournal) 1980 and shall come into operation on 5th January 1981.

(2) This Act of Adjournal shall be inserted in the Books of Adjournal.

(3) In this Act of Adjournal, "Clerk of Justiciary" has the meaning it has in section 462(1) of the said Act of 1975.

Abolition of existing practice

2. The existing practice relating to the record of proceedings of the High Court of Justiciary sitting at Edinburgh shall cease to have effect on and after the date of the coming into operation of this Act of Adjournal.

New Form of Edinburgh Book of Adjournal

3.—(1) On and after the date this Act of Adjournal comes into operation the Edinburgh Book of Adjournal shall contain—

(*a*) in the case of a trial in the High Court of Justiciary sitting at Edinburgh —

(i) the record copy of the indictment;

(ii) a summary of the proceedings in the form set out in Form A in the Schedule to this Act;

(iii) the relative printed list of Assize;

(*b*) in the case of a petition to the High Court of Justiciary—

(i) the record copy of the petition;

(a) 1975 c.21

(ii) a summary of the proceedings in the form set out in Form B in the Schedule to this Act; and

(*c*) the Acts of Adjournal.

(2) The summary of proceedings referred to in head (ii) of paragraph (1)(*a*) and (*b*) shall be signed by the Clerk of Justiciary and on being so signed shall have effect and shall be treated for all purposes, including extracts, as a true and sufficient record of the proceedings to which it relates.

Emslie,
Lord Justice General
I.P.D.

Edinburgh.
11th December 1980.

SCHEDULE

FORM A

CASE,

1. Place and Date,
2. Judge,
3. Procurator for Crown,
4. Procurator(s) for Panel,
5. Relevancy,
6. Plea,
7. Jury, per List,
8. Crown Witnesses, per List,
9. Panel's Witnesses, by Name,
10. Verdict,
11. Sentence,
12. Other facts of importance,

FORM B

1. Date of Final Interlocutor,	CASE,
2. Judge(s)	
3. Counsel for Petitioner(s),	
4. Counsel for Respondent(s),	
5. Import of Petition,	
6. Final Interlocutor,	

EXPLANATORY NOTE

(*This Note is not part of the Act of Adjournal.*)

This Act of Adjournal makes provision for the abolition on 5th January 1981 of the existing form of the record of proceedings of the High Court of Justiciary sitting at Edinburgh and for new simplified forms in its place.

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