STATUTORY INSTRUMENTS

1981 No. 1151 (S.116)

HIGH COURT OF JUSTICIARY, SCOTLAND

Act of Adjournal (Form of Extract of Sentence) 1981

Made - - - - 30*th July* 1981

Coming into Operation 24*th August* 1981

The Lord Justice General, the Lord Justice Clerk and the Lords Commissioners of Justiciary, under and 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 and commencement

1.—(1) This Act of Adjournal may be cited as the Act of Adjournal (Form of Extract of Sentence) 1981 and shall come into operation on 24th August 1981.

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

Application

2. This Act of Adjournal applies to any case where an accused person has been sentenced to a custodial sentence following upon conviction on indictment.

Form of Extract

3.—(1) On and after the date on which this Act of Adjournal comes into operation, an extract of a custodial sentence and warrant of detention and return of sentence required for any purpose in connection with any case to which this Act of Adjournal applies, shall be as nearly as may be in the form set out in the Schedule to this Act of Adjournal and shall be signed by the clerk of the court.

(2) An extract issued in accordance with the provisions of sub-paragraph (1) above shall be full warrant and authority for all execution to follow thereon.

Emslie,
Lord Justice General
I.P.D.

Edinburgh
30th July 1981.

(**a**) 1975 c.21

SCHEDULE Paragraph 3(1)

PROCEEDINGS ON INDICTMENT.

CRIMINAL PROCEDURE (SCOTLAND) ACT 1975.

EXTRACT SENTENCE, WARRANT OF DETENTION AND RETURN OF SENTENCE

<table>
<tr><td colspan="2">Court</td><td colspan="2">Judge</td></tr>
<tr><td colspan="2" rowspan="2">Accused</td><td colspan="2">Date of Sentence</td></tr>
<tr><td colspan="2">Address (where known)</td></tr>
<tr><td>Date of Birth</td><td>Marital Status</td><td colspan="2">Occupation</td></tr>
<tr><td colspan="3">Offence(s) for which sentenced</td><td>Method of conviction
Jury trial
Plea
Sec. 102</td></tr>
<tr><td colspan="4">Sentence: The Court Sentenced, Decerned and Adjudged the said accused to be imprisoned as from this date for the period specified below and thereafter to be set at liberty.</td></tr>
<tr><td colspan="4">Period of imprisonment:</td></tr>
<tr><td colspan="4">Warrant: In respect of the foregoing sentence the Court Ordained, and hereby Ordains, the said accused to be conveyed by Officers of law to the Prison of

thereafter to be dealt with in due course of law.</td></tr>
<tr><td>Officers to prove conviction</td><td colspan="3"></td></tr>
<tr><td colspan="4">Previous record — as per list attached.</td></tr>
</table>

Extracted by me .....

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EXPLANATORY NOTE

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

This Act of Adjournal provides for a new form of extract of custodial sentence following upon the revocation of the Act of Adjournal relative to Sentences of Imprisonment Pronounced by the High Court and Criminal Courts of Justiciary, and Sheriff Courts of 22nd February 1879 by Section 217(3) of the Criminal Procedure (Scotland) Act 1975. The new form provides for the form of extract to include (a) information relating only to the charges on indictment of which the pannel is convicted and given a custodial sentence and (b) information currently provided to the Prisons Department of the Scottish Home and Health Department on a separate form.

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