STATUTORY INSTRUMENTS

1986 No. 1191 (S. 98)

SUMMARY JURISDICTION, SCOTLAND

Act of Adjournal (Summary Procedure) (Amendment) 1986

Made - - - -	*9th July* 1986
Coming into Operation	1*st August* 1986

The Lord Justice General, Lord Justice Clerk and Lords Commissioners of Justiciary under and by virtue of the powers conferred on them by section 457 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 (Summary Procedure) (Amendment) 1986 and shall come into operation on 1st August 1986.

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

Amendment of Act of Adjournal

2. In the Act of Adjournal (Summary Procedure) 1975(**b**)—

(a) for paragraph 10, substitute the following paragraph:—

"**10.** Where a Bill contains a prayer for interim suspension of any order or for interim liberation, the Judge before whom the Bill is laid for a first deliverance shall assign a diet at which counsel for the parties may be heard on the interim prayer; and the Clerk of Justiciary shall forthwith give notice of that diet to the parties."; and

(b) paragraphs 11 and 12 shall be omitted.

Emslie,
Lord Justice General,
I.P.D.

Edinburgh.
9 July 1986.

(**a**) 1975 c.21; section 457 was amended by the Criminal Justice (Scotland) Act 1980 (c.62), Schedule 7, paragraph 72.
(**b**) S.I. 1975/837.

EXPLANATORY NOTE

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

This Act of Adjournal amends the Act of Adjournal (Summary Procedure) 1975 by *(a)* substituting a new paragraph 10 which provides that where a bill of suspension contains a prayer for interim suspension or interim liberation, a diet shall be assigned at the time of the first deliverance at which counsel for the parties may be heard; and *(b)* omitting paragraphs 11 and 12 which are no longer necessary and cause delay in the procedure for liberation.

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