



Criminal Proceedings etc. (Reform) (Scotland) Act 2007

2007 asp 6

PART 2

PROCEEDINGS

Solemn cases

31 Petition proceedings outwith sheriffdom

After section 34 of the 1995 Act there is inserted—

“Petition proceedings outwith sheriffdom

34A Petition proceedings outwith sheriffdom

- (1) Where the prosecutor believes—
 - (a) that, because of exceptional circumstances (and without an order under subsection (3) below), it is likely that there would be an unusually high number of accused persons appearing from custody for the first calling of cases on petition in the sheriff courts in the sheriffdom; and
 - (b) that it would not be practicable for those courts to deal with all the cases involved,the prosecutor may apply to the sheriff principal for the order referred to in subsection (2) below.
- (2) For the purposes of subsection (1) above, the order is for authority for petition proceedings against some or all of the accused persons to be—
 - (a) taken at a sheriff court in another sheriffdom; and
 - (b) maintained—
 - (i) there; or

Status: This is the original version (as it was originally enacted).

- (ii) at any of the sheriff courts referred to in subsection (1) above as may at the first calling of the case be appointed for further proceedings.
- (3) On an application under subsection (1) above, the sheriff principal may make the order sought with the consent of the sheriff principal of the other sheriffdom.
- (4) An order under subsection (3) above may be made by reference to a particular period or particular circumstances.
- (5) This section does not confer jurisdiction for any subsequent proceedings on indictment.”.