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**1985 No. 1565 (S. 122)**

**HIGH COURT OF JUSTICIARY, SCOTLAND  
SHERIFF COURT, SCOTLAND  
SUMMARY JURISDICTION, SCOTLAND**

**Act of Adjournal (Applications to alter address in Bail Orders)  
1985**

*Made - - - - - 11th October 1985*  
*Coming into Operation 4th November 1985*

The Lord Justice General, Lord Justice Clerk and Lords Commissioners of Justiciary, under and by virtue of the powers conferred on them by sections 282 and 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, commencement and interpretation*

1.—(1) This Act of Adjournal may be cited as the Act of Adjournal (Applications to alter address in Bail Orders) 1985 and shall come into operation on 4th November 1985.

(2) In this Act of Adjournal, unless the context otherwise requires—

“the clerk of court” means the Clerk of Justiciary, the sheriff clerk or the clerk of the district court as the case may be.

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

*Application to alter address in Bail Order*

2.—(1) An application in writing under section 2(2) of the Bail etc. (Scotland) Act 1980(b) to alter the address specified in the order granting bail shall—

(a) include the following information—

- (i) identification of the proceedings in which the order was made;
- (ii) details of the new address;
- (iii) reasons for the proposed change of address; and

(b) be sent to the clerk of court of the court which made the order.

(2) On receipt of the application, the clerk of court shall forthwith send a copy to the prosecutor.

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(a) 1975 c. 21.

(b) 1980 c. 4.

(3) The prosecutor shall, within 7 days of receipt of the copy of the application, notify the clerk of court in writing whether or not he intends to oppose the application.

(4) Where the prosecutor notifies the clerk of court that he does not intend to oppose the application, the court shall proceed to dispose of the application and may do so in the absence of the applicant.

(5) Where the prosecutor notifies the clerk of court that he intends to oppose the application, the clerk of court shall arrange a hearing before the court in chambers at which the applicant and the prosecutor may appear or be represented.

(6) The clerk of court shall give notice in writing, to the applicant and the prosecutor, of the decision of the court on an application made under subparagraph (1) of this paragraph.

Edinburgh,  
11th October 1985.

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

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#### EXPLANATORY NOTE

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

This Act of Adjournal makes provision for the procedure to be adopted where an application is made by an accused while he is on bail to alter the address specified in the order granting bail as his normal place of residence.

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