STATUTORY INSTRUMENTS

1980 No. 425 (S.42)

HIGH COURT OF JUSTICIARY, SCOTLAND
SUMMARY JURISDICTION, SCOTLAND

Act of Adjournal (Proof of service outside Scotland) 1980

Made - - - - 20*th March* 1980
Coming into Operation 14*th April* 1980

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 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 and commencement

1.—(1) This Act of Adjournal may be cited as the Act of Adjournal (Proof of service outside Scotland) 1980 and shall come into operation on 14th April 1980.

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

Citation of accused persons outside Scotland

2. Where any citation of an accused person is served in England, Wales or Northern Ireland by an officer effecting such service in accordance with the provisions of section 39(3) of the Criminal Law Act 1977(**b**), the evidence of either—

(*a*) that officer on oath; or

(*b*) written execution of service or citation signed by him,

shall be sufficient evidence of such service.

Emslie
Lord Justice General
I.P.D.

Edinburgh.
20th March 1980

EXPLANATORY NOTE

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

This Act of Adjournal gives effect to section 39(3) of the Criminal Law Act 1977 by making express provision in respect of the proof in Scotland of service in other parts of the United Kingdom of citation of accused persons.

(**a**) 1975 c. 21. (**b**) 1977 c.45.