**Rule 73.3**

**FORM 73.3**

## Form of application for variation, renewal or discharge of a sexual harm prevention order

UNTO THE RIGHT HONOURABLE THE LORD JUSTICE GENERAL, THE LORD JUSTICE CLERK, and LORDS COMMISSIONERS OF JUSTICIARY

[or UNTO THE HONOURABLE THE SHERIFF OF (name of sheriffdom)] AT (place)

APPLICATION

[A.B.] (address *or* prisoner at the prison of (place))

[*or* THE CHIEF CONSTABLE, POLICE SERVICE OF SCOTLAND] [*or* HER MAJESTY’S ADVOCATE]

[*or* THE PROCURATOR FISCAL]

APPLICANT

HUMBLY SHEWETH:

1. That there is annexed to this petition a copy of the sexual harm prevention order which was made by the sheriff at (place) [*or* by the High Court sitting at (place)] on (date).

[2. That the sexual harm prevention order has been varied or renewed as follows:– (*specify details of any previous variation or renewal*).]

1. That the applicant seeks to vary [*or* renew [*or* discharge]] the sexual harm prevention order for the following reasons:– (*specify reasons*).

MAY IT THEREFORE PLEASE YOUR LORDSHIP[S] [*or* THE COURT]:

1. to appoint intimation of this petition to be made to [A.B.] [*or* Her Majesty's Advocate] [*or* the Procurator Fiscal] [*or* the Chief Constable, the Police Service of Scotland];
2. to fix a hearing [*or* to give an opportunity, within such time period as is specified by the court, to make and intimate to other parties written representations to [A.B] [*or* Her Majesty's Advocate] [*or* the Procurator Fiscal] [*or* the Chief Constable, the Police Service of Scotland]]; and
3. thereafter, on being duly satisfied, to make an order varying [*or* renewing] [*or* discharging] the sexual harm prevention order [by] (*specify the terms of the variation or renewal sought*) and to do further and otherwise as to your Lordship[s] [*or* to the court] seems proper.

ACCORDING TO JUSTICE, etc

(Signed)

Solicitor for [A.B.]

[*or* Solicitor for the Chief Constable, Police Service of Scotland]

[*or* Prosecutor]

(address, e-mail address and telephone number)