Law Reform (Jurisdiction in Delict) (Scotland) Act 1971

1971 CHAPTER 55

An Act to extend the jurisdiction of the Court of Session and the sheriff court in Scotland in proceedings founded on delict. [27th July 1971]

BE IT ENACTED by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Extension of jurisdiction of courts in proceedings founded on delict.

1.—(1) For the Court of Session to have jurisdiction in any proceedings founded on delict, not being proceedings falling within the privative jurisdiction of the sheriff court, it shall be sufficient that the delict forming the cause of action was committed within Scotland; and any rule of law existing immediately before the passing of this Act which is inconsistent with the provisions of this subsection shall cease to have effect.

(2) For the sheriff to have jurisdiction in any proceedings founded on delict, being proceedings of a kind which may competently be brought in the sheriff court, it shall be sufficient that the delict forming the cause of action was committed within the sheriffdom in which the proceedings are raised; and accordingly, in section 6 of the Sheriff Courts (Scotland) Act 1907, for paragraph (*i*) (by virtue of which an action competent in the sheriff court may be brought within the jurisdiction of the sheriff where the action arises out of the delict of the defender within the jurisdiction, and he is personally cited there) there shall be substituted the following:—

1907 c. 51.

> " (*i*) where the action is founded on delict, and the delict forming the cause of action was committed within the jurisdiction ".

(3) In this Act " delict " includes quasi-delict.

Short title and extent.

2.—(1) This Act may be cited as the Law Reform (Jurisdiction in Delict) (Scotland) Act 1971.

(2) This Act shall extend to Scotland only.