1958 No. 1871 (S. 96)

Act of Sederunt (Sheriff Court Procedure under Landlord and Tenant (Temporary Provisions) Act, 1958) 1958

Made - - - -	*28th October*, 1958
Coming into Operation	*28th October*, 1958

The Lords of Council and Session under and by virtue of the powers conferred upon them by Section 17 (1) of the Increase of Rent and Mortgage Interest (Restrictions) Act, 1920(a), and section 4 (1) of the Landlord and Tenant (Temporary Provisions) Act, 1958(b), do hereby enact as follows :—

1. Where proceedings are brought in a sheriff court for the recovery of possession of a dwellinghouse to which the Landlord and Tenant (Temporary Provisions) Act, 1958 (hereinafter referred to as "the Act") applies, the pursuer may not less than 8 days before the hearing of the proceedings give notice in writing to the defender and to the sheriff-clerk that he requires the defender to inform him and the sheriff-clerk not later than 4 days before the hearing whether the defender proposes to apply to the court for a suspension of execution of any order for possession which the court may make in the proceedings.

2. Where the defender applies to the sheriff court for a suspension of execution of any order for possession under section 3 of the Act, the court may, if it thinks fit, hear the proceedings or any part thereof in chambers or *in camera.*

3. This Act of Sederunt may be cited as the Act of Sederunt (Sheriff Court Procedure under Landlord and Tenant (Temporary Provisions) Act, 1958), 1958, and shall come into operation on 28th October, 1958.

And the Lords appoint this act of Sederunt to be inserted in the Books of Sederunt.

J. L. Clyde,
I.P.D.

Edinburgh, 28th October, 1958.

EXPLANATORY NOTE

(This note is not part of the Act of Sederunt but is intended to indicate its general purport.)

This Act of Sederunt regulates the procedure in an application for suspension of execution of any order for possession under the Landlord and Tenant (Temporary Provisions) Act, 1958.

(a) 10 & 11 Geo. 5. c. 17. (b) 6 & 7 Eliz. 2. c. 68.