1980 No. 1802 (S.162)

SHERIFF COURT, SCOTLAND

Act of Sederunt (Remits to Court of Session) 1980

Made - - - - 25*th November* 1980

Coming into Operation 22*nd December* 1980

The Lords of Council and Session under and by virtue of the powers conferred upon them by section 32 of the Sheriff Courts (Scotland) Act 1971**(a)** and of all other powers enabling them in that behalf, and after consultation with the Sheriff Court Rules Council, do hereby enact and declare:—

Citation and commencement

1.—(1) This Act of Sederunt may be cited as the Act of Sederunt (Remits to Court of Session) 1980 and shall come into operation on 22nd December 1980.

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

Amendment of Rules

2. In Schedule 1 to the Sheriff Courts (Scotland) Act 1907**(b)**, for rule 95 there shall be substituted the following rule—

"95. *Causes Remitted to the Court of Session.*—The sheriff clerk shall, within the period of four days after the sheriff has pronounced an interlocutor remitting an action to the Court of Session, transmit the process to the deputy principal clerk of session. Within the said period of four days the sheriff clerk shall send written notice of the remit to the party or parties and certify on the interlocutor sheet that he has done so; but failure to give such notice shall not invalidate the remit."

Emslie,
Lord President.
I.P.D.

Edinburgh.
25th November 1980.

(a) 1971 c. 58. **(b)** 1907 c. 51.

EXPLANATORY NOTE

(This Note is not part of the Act of Sederunt.)

This Act of Sederunt substitutes a new Rule 95 in the First Schedule to the Sheriff Courts (Scotland) Act, 1907, in order to give effect to section 37 of the Sheriff Courts (Scotland) Act, 1971, as amended by section 16 of the Law Reform (Miscellaneous Provisions) (Scotland) Act 1980 (c.55), relating to remits from the sheriff court.

SI 1980/1802
ISBN 0-11-007802-0

