



Court of Session Act 1988

1988 CHAPTER 36

PART V

APPEAL AND REVIEW

Review by suspension

35 Suspension of sheriff court decree.

- (1) It shall be competent in any proceedings for the suspension of a decree of a sheriff for that sheriff or the Court to regulate all matters relating to interim possession.
- (2) The Court may in any such proceedings remit the cause to the sheriff with instructions; but no such remit shall be made, except in the case of the suspension of a decree in absence, without hearing counsel or receiving a written answer on the part of the respondent.
- (3) The Court may in granting suspension find the petitioner entitled to his expenses both in the sheriff court and in the Court.
- (4) In this section “sheriff” includes sheriff principal.

Changes to legislation:

Court of Session Act 1988, Section 35 is up to date with all changes known to be in force on or before 07 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 27(1A) added by [2024 asp 1 s. 7\(13\)](#)