
EXPLANATORY NOTE

(This note is not part of the Act of Sederunt)

This Act of Sederunt consolidates with minor and drafting amendments rules of the Sheriff Court relating to statutory applications and appeals. It also incorporates the Sheriff Court Summary Application Rules. Rules replaced by the consolidated rules are revoked in Schedule 2.

Chapter 1 contains general rules in relation to citation, commencement, interpretation, revocation and application.

Chapter 2 contains those rules in relation to summary applications, previously provided for in the Act of Sederunt (Sheriff Court Summary Application Rules) 1993.

Part I contains rules as to interpretation.

Part II contains general rules in relation to summary applications.

Chapter 3 contains specific provision in relation to applications, proceedings and appeals under certain enactments which are to be dealt with as summary applications.

Part I contains specific provision in relation to applications under section 1(1) of the Administration of Justice (Scotland) Act 1972.

Part II contains specific provision for appeals under the Betting Gaming and Lotteries Act 1963, the Gaming Act 1968 and the Lotteries and Amusements Act 1976.

Part III contains specific provision in relation to applications under section 41 of the Coal Mining Subsidence Act 1991.

Part IV contains specific provision in relation to applications under Part II of the Conveyancing and Feudal Reform (Scotland) Act 1970.

Part V contains specific provision in relation to proceedings under the Trade Marks Act 1938, the Copyright, Designs and Patents Act 1988 and the Olympics Association Right (Infringement Proceedings) Regulations 1995.

Part VI contains specific provision in relation to applications under Part II of the Drug Trafficking Act 1994.

Part VII contains specific provision for appeals under section 39 of the Licensing (Scotland) Act 1976.

Part VIII contains specific provision in relation to applications under sections 21, 40 and 35A of the Mental Health (Scotland) Act 1984.

Part IX contains specific provision in relation to proceedings under sections 28, 29, 30, 31 and 33 of, and paragraphs 1, 2, 4, 6 and 12 of Schedule 1 to, the Proceeds of Crime (Scotland) Act 1994.

Part X contains specific provision for appeals under sections 6(5) and 6(5A) of the Rating (Disabled Persons) Act 1978.

Part XI contains specific provision in relation to election petitions under the Representation of the People Act 1983.

Part XII contains specific provision in relation to requests or applications under the United Nations Commission on International Trade Law Model Law on International Commercial Arbitration as set out in Schedule 7 to the Law Reform (Miscellaneous Provisions) (Scotland) Act 1990.

Status: *This is the original version (as it was originally made).*

Part XIII contains specific provision in relation to proceedings under the Sex Discrimination Act 1975.