SCOTTISH STATUTORY INSTRUMENTS

2025 No. 301

COURT OF SESSION

SHERIFF COURT

Act of Sederunt (Intimation and Service) 2025

Made - - - -	*29th October 2025*
Laid before the Scottish Parliament	*30th October 2025*
Coming into force	*1st December 2025*

In accordance with section 4 of the Scottish Civil Justice Council and Criminal Legal Assistance Act 2013(**a**), the Court of Session has approved draft rules submitted to it by the Scottish Civil Justice Council.

The Court of Session therefore makes this Act of Sederunt under the powers conferred by sections 103(1) and 104(1) of the Courts Reform (Scotland) Act 2014(**b**) and all other powers enabling it to do so.

Citation and commencement, etc.

1.—(1) This Act of Sederunt may be cited as the Act of Sederunt (Intimation and Service) 2025.

(2) It comes into force on 1st December 2025.

(3) A certified copy is to be inserted in the Books of Sederunt.

(4) Subject to sub-paragraph (5), this Act of Sederunt applies to—

(a) any Act of Sederunt, whenever made;

(b) the Ordinary Cause Rules 1993(**c**).

(5) This Act of Sederunt does not apply to—

(a) the Act of Sederunt (Simple Procedure) 2016(**d**);

(b) the Act of Sederunt (Sheriff Appeal Court Rules) 2021(**e**).

Mode of service etc. where address of person is not known

2.—(1) Any requirement that a person whose address is not known be—

(**a**) 2013 asp 3. Section 4 was amended by the Courts Reform (Scotland) Act 2014 (asp 18), schedule 5, paragraph 31(3) and by the Inquiries into Fatal Accidents and Sudden Deaths etc. (Scotland) Act 2016 (asp 2), schedule 1, paragraph 1(4).

(**b**) 2014 asp 18.

(**c**) The Ordinary Cause Rules 1993 are in schedule 1 of the Sheriff Courts (Scotland) Act 1907 (c. 51). Schedule 1 was substituted by S.I. 1993/1956 and last amended by S.S.I. 2025/80.

(**d**) S.S.I. 2016/200.

(**e**) S.S.I. 2021/468.

(a) cited;

(b) served with a document;

(c) given notice,

by way of intimation, display or publication of the citation, document or notice on any part of a court building may be fulfilled in accordance with sub-paragraph (3).

(2) The requirement in the rules mentioned below that a document be intimated or displayed on the walls of court may be fulfilled in accordance with sub-paragraph (3)—

(a) rule 4(2) (publication) of the Chancery Procedure Rules(**a**);

(b) rule 19(2) (intimation, service and advertisement) of the Act of Sederunt (Sheriff Court Company Insolvency Rules) 1986(**b**);

(c) rule 6(1) (intimation and service) of the Act of Sederunt (Judicial Factors Rules) 1992(**c**);

(d) rule 8(3) (application for commission as a sheriff officer) of the Act of Sederunt (Messengers-at-Arms and Sheriff Officers Rules) 1991(**d**).

(3) A requirement to which reference is made in sub-paragraph (1) or (2) may be fulfilled by making publicly available on the Scottish Courts and Tribunals Service website—

(a) the type of action in which the requirement arises;

(b) the names and addresses of the parties.

Mode of intimation — rule 14.7 of the Rules of the Court of Session 1994

3. The intimation requirement in rule 14.7 (intimation and service of petitions) of the Rules of the Court of Session 1994(**e**) may be fulfilled by making publicly available on the Scottish Courts and Tribunals Service website—

(a) the name of the petitioner;

(b) the purpose of the petition;

(c) the name of the solicitor for the petitioner.

Mode of intimation — rule 2(2) of the Act of Sederunt (Edictal Citations, Commissary Petitions and Petitions of Service) 1971

4. The intimation requirement in rule 2(2) (intimation of petition) of the Act of Sederunt (Edictal Citations, Commissary Petitions and Petitions of Service) 1971(**f**) may be fulfilled by making publicly available on the Scottish Courts and Tribunals Service website—

(a) the name of the petitioner;

(b) the purpose of the petition;

(c) the name and address of the deceased to whose estate the petition relates.

Mode of display or publication — rule 23.7 of the Rules of the Court of Session 1994 and rule 3.11.7 of the Summary Application Rules 1999

5. The publication or display requirement, respectively, in the rules mentioned below may be fulfilled by making the list or notice, respectively, publicly available on the Scottish Courts and Tribunals Service website—

(**a**) The Chancery Procedure Rules are in the schedule of Act of Sederunt (Chancery Procedure Rules) 2006 (S.S.I 2006/292), as amended by S.S.I. 2007/469.

(**b**) S.I. 1986/2297, last amended by S.S.I. 2021/324. Rule 19(2) was last amended by S.S.I. 2003/388.

(**c**) S.I. 1992/272, last amended by S.S.I. 2016/312. Rule 6(1) was last amended by S.I. 1997/206.

(**d**) S.I. 1991/1397, last amended by S.S.I. 2025/74. Rule 8(3) was amended by S.S.I. 2017/240.

(**e**) The Rules of the Court of Session 1994 are in schedule 2 of the Act of Sederunt (Rules of the Court of Session 1994) 1994 (S.I. 1994/1443), last amended by S.S.I. 2025/80. Rule 14.7 was amended by S.I. 1996/1756.

(**f**) S.I. 1971/1165, last amended by S.I. 1996/2184.

(a) rule 23.7(4) (motions in vacation)(**a**) of the Rules of the Court of Session 1994;

(b) rule 3.11.7 (notice of date and place of trial) of the Act of Sederunt (Summary Applications, Statutory Applications and Appeals etc. Rules) 1999(**b**).

PAUL CULLEN
Lord President
I.P.D.

Edinburgh
29th October 2025

(**a**) Rule 23.7 was last amended by S.S.I. 2017/414.
(**b**) S.I. 1999/929, last amended by S.S.I. 2024/353.

EXPLANATORY NOTE

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

This Act of Sederunt makes provision so that a requirement in any Act of Sederunt or in the Ordinary Cause Rules 1993 that a document be placed on the walls or doors of civil courts may also be fulfilled by making certain information publicly available on the Scottish Courts and Tribunals Service website.

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