STATUTORY INSTRUMENTS

1965 No. 1169 (S.46)

COURT OF SESSION, SCOTLAND

Act of Sederunt (Jury Trials Amendment) 1965

Made - - - -	*20th May* 1965
Coming into Operation -	*20th May* 1965

The Lords of Council and Session, under and by virtue of the powers conferred upon them by section 16(j) of the Administration of Justice (Scotland) Act 1933(a), and of all other powers competent to them in that behalf, do hereby enact as follows:—

1. Section 6 of the Jury Trials (Scotland) Act 1815(b) shall be amended by adding after the words " or for such other cause as is essential to the justice of the case: ", the words:—

" Provided that if the Court shall be of opinion that the only ground for granting a new trial is either excess of damages or such inadequacy of damages as to show that a new trial is essential to the justice of the cause, it may grant a new trial which shall be restricted to the question of the amount of damages only ;".

2. This Act of Sederunt may be cited as the Act of Sederunt (Jury Trials Amendment) 1965, and shall come into operation on 20th May 1965.

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

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

Edinburgh,

20th May 1965.

EXPLANATORY NOTE

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

This Act of Sederunt amends section 6 of the Jury Trials (Scotland) Act 1815 by providing that when, in a motion for a new trial, the Court is of opinion that the only ground for granting a new trial is excess or inadequacy of damages, it shall grant a new trial restricted to the *quantum* of damages.

(a) 23 & 24 Geo. 5. c. 41. (b) 55 Geo. 3. c. 42.