Session, your Counsel) on the date when the motion for decree will be moved, and satisfy the court that your inability to obey the order of the court contained in the decree is due to the circumstances aforesaid. If the notice has been served on your wife or other person entrusted with the management of your affairs in general or of the property to which the action relates, the court will hear such person on your behalf.

FORM 10

RESERVE AND AUXILIARY FORCES (PROTECTION OF CIVIL INTERESTS) ACT, 1951

Sheriff Court of at .

..... Pursuer

v.

..... Defender

To ..... Defender above designed.

Take notice that when the above cause is called at the time and place specified in the [Initial Writ] *or* [summons] served herewith *or* [already served on you] application will be made, in the event of decree being granted, for leave to enforce the decree immediately in conformity with the above recited Acts and relative Act of Sederunt dated , 1952.

[Signature of applicant or officer of Court or solicitor.]

[Place and date.]

NOTE.—The Reserve and Auxiliary Forces (Protection of Civil Interests) Act, 1951, prevents the enforcement of the decree if the court is of opinion that you are unable immediately to obey the order of the court contained in the decree by reason of circumstances directly or indirectly attributable to service to which the Act applies. If you desire to take advantage of the Act you should attend the court by yourself or by your solicitor on the date when the motion for decree will be moved, and satisfy the court that your inability to obey the order of the court contained in the decree is due to the circumstances aforesaid. If the notice has been served on your wife or other person entrusted with the management of your affairs in general or of the property to which the action relates, the court will hear such person on your behalf.

EXPLANATORY NOTE

(This Note is not part of the Act of Sederunt, but is intended to indicate its general purport.)

This Act of Sederunt provides the procedural machinery required for giving effect to the Reserve and Auxiliary Forces (Protection of Civil Interests) Act, 1951, in the Court of Session and the Sheriff Courts.

1952 No. 893 (S. 38)

Act of Sederunt (Rules of Court Amendment) 1952

Made - - - -	1*st May*, 1952
Coming into Operation	5*th May*, 1952

The Lords of Council and Session, under and by virtue of the powers conferred upon them by section 16 of the Administration of Justice (Scotland) Act, 1933(a) and of all other powers competent to them in that behalf, considering that it has been agreed by the Treasury that certain increases in the fees payable to shorthand writers for extending Notes etc. require to be made, do hereby enact and declare that the fees prescribed to be charged

(a) 23 & 24 Geo. 5. c. 41.

by shorthand writers in the Court of Session contained in part E of Rule 357 of the Rules of Court(a) shall be subject to an increase of 25 per cent. as from 5th May, 1952.

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

T. M. Cooper,
I.P.D.

Edinburgh.
1st May, 1952.

1952 No. 1980 (S. 105)

Act of Sederunt (Rules of Court Amendment), 1952

Made - - - -	*28th October,* 1952
Coming into Operation	*28th October,* 1952

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

1. The Rules of the Court of Session(a) shall be amended by the insertion after Rule 147 of the following :—

" 147A. *Acceleration of diet.* When a diet for trial by jury has been fixed for a date more than two calendar months after the end of the next ensuing vacation of the Court or Christmas recess as the case may be, any party to the cause may enrol a motion before the Lord Ordinary to have the diet accelerated. Such motion must be enrolled on or before a date to be announced in the Rolls of Court, being a date not later than 1st November, 1st February or 1st June in each term. The Lord Ordinary, after hearing parties if the motion is opposed, shall determine whether the motion should be granted or not, and his decision shall be final. Where such motion is granted, the party making the motion shall apply forthwith to the Keeper of the Rolls to have a new diet of trial assigned, and, subject to the exigencies of business, such diet shall be fixed for a day or days in the three weeks immediately preceding the next ensuing vacation or recess. In the event of its proving impossible to assign a new diet within this period, the diet originally fixed shall stand, the parties being at liberty to renew the motion for an accelerated diet in the following term."

2. This Act of Sederunt may be cited as the Act of Sederunt (Rules of Court Amendment), 1952.

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

T. M. Cooper,
I.P.D.

Edinburgh, 28th October, 1952.

EXPLANATORY NOTE

(This note is not part of the Act of Sederunt but is intended to indicate the general purport thereof.)

This Act of Sederunt amends the Rules of the Court of Session by making provision for the acceleration of the diet for trial by jury in certain cases.

(a) S.I. 1948/1691; 1948 I, p. 3778. (b) 23 & 24 Geo. 5. c. 41.