STATUTORY INSTRUMENTS

1975 No. 89 (S. 10)

COURT OF SESSION, SCOTLAND

Act of Sederunt (Rules of Court Amendment) 1975

Made - - - -	*24th January* 1975
Coming into Operation	*28th February* 1975

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, do hereby enact and declare as follows:—

1. The Act of Sederunt (Rules of Court Amendment No. 4) 1974**(b)** is hereby amended by the addition at the end of paragraph 1 thereof after the words "specified in Rule 290(*e*)" of the following:—"and any interlocutor of said nominated judge in the course of such appeals, including an interlocutor disposing either by itself or with a previous interlocutor or interlocutors, of the appeal, may only be reclaimed against with leave of the nominated judge, of one or other Division, or (in vacation) of the Vacation Judge. Application for such leave to reclaim shall be made within seven days of the last interlocutor pronounced by the nominated judge".

2. The Rules of Court **(c)** are hereby amended as follows:—

(1) By adding at the end of Rule 261:—"including any interlocutor pronounced by the nominated judge when disposing of appeals under Rule 292(*b*) hereof".

(2) By inserting at the end of line 1 of Rule 291(3) after the word "Scotland":—"and all appeals under section 8(7) of the Trade Union and Labour Relations Act 1974"**(d)**.

(3) By inserting in line 2 of Rule 292(*b*) between the words "Scotland" and "shall":—"and all appeals under section 8(7) of the Trade Union and Labour Relations Act".

3. This Act may be cited as the Act of Sederunt (Rules of Court Amendment) 1975 and shall come into operation on 28th February 1975.

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

G. C. Emslie,
I.P.D.

Edinburgh,
24th January 1975.

(a) 1933 c. 41.
(b) S.I. 1974/1603 (1974 III, p. 5975).
(c) S.I. 1965/321 (1965 I, p. 803).
(d) 1974 c. 52.

EXPLANATORY NOTE

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

This Act of Sederunt amends the Rules of Court by providing that all appeals under section 8(7) of the 1974 Trade Union and Labour Relations Act shall follow the same procedure as applies to appeals from industrial tribunals in Scotland, and that the provisions of Section 1 of Chapter V of the Rules of Court shall apply to any reclaiming motion following the disposal by the nominated judge of an appeal under Rule 292(*b*). The Act of Sederunt also amends the Act of Sederunt (Rules of Court Amendment No. 4) 1974 by providing that no interlocutor of the nominated judge arising out of any transferred appeal may be reclaimed without leave.

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