STATUTORY INSTRUMENTS

1969 No. 474 (S.40)

COURT OF SESSION, SCOTLAND

Act of Sederunt (Rules of Court Amendment No. 1) 1969

Made - - - 14*th February* 1969

Coming into Operation 15*th February* 1969

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 Rules of Court (*b*) are hereby amended by deleting paragraph (*b*) of Rule 166 and by substituting a new paragraph (*b*) of Rule 166 as follows:— "Where a final decree containing such reservation is not reclaimed against, or where (a final decree being reclaimed against) any reservation shall ultimately be affirmed or shall ultimately be made, the process shall continue to be in dependence until the date stated in the reservation, to the effect that either the pursuer or the defender or any other party showing an interest may apply to the court anent the custody, maintenance or education of any child continuing to be under the age of sixteen years."

2. This Act of Sederunt may be cited as the Act of Sederunt (Rules of Court Amendment No. 1) 1969 and shall come into operation on 15th February 1969.

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

Edinburgh,
14th February 1969.

EXPLANATORY NOTE

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

This Act of Sederunt amends the Rules of Court by empowering any party showing an interest to apply to the Court in terms of a direction reserving leave to apply anent the custody, maintenance or education of a child in a consistorial action.

(a) 1933 c. 41. (b) S.I. 1965/321 (1965 I, p. 803).