SCOTTISH STATUTORY INSTRUMENTS

2025 No. 61

COURT OF SESSION

Act of Sederunt (Rules of the Court of Session 1994 Amendment) (Nautical Assessors) 2025

Made - - - -	*7th March 2025*
Laid before the Scottish Parliament	*10th March 2025*
Coming into force - -	*11th April 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 section 103(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 (Rules of the Court of Session 1994 Amendment) (Nautical Assessors) 2025.

(2) It comes into force on 11th April 2025.

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

Amendment of the Rules of the Court of Session 1994

2.—(1) Chapter 12 (assessors)(**c**) of the Rules of the Court of Session 1994(**d**) is amended in accordance with this paragraph.

(2) In rule 12.5 (selection of assessors)(**e**)—

(a) in paragraph (1), for "Subject to paragraph (2), an" substitute "An";

(b) omit paragraph (2).

(3) In rule 12.7 (skilled witnesses where assessors summoned)—

(a) omit paragraph (1);

(b) in paragraph (2) omit "other than one to which paragraph (1) applies,".

(**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**) Chapter 12 was amended by S.S.I. 2007/7.
(**d**) 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. 2024/353.
(**e**) Rule 12.5 was amended by S.S.I. 2007/7.

Saving

3. Paragraph 2 does not apply in respect of proceedings commenced before 11th April 2025.

PAUL CULLEN
Lord President
I.P.D.

Edinburgh
7th March 2025

EXPLANATORY NOTE

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

This Act of Sederunt amends Chapter 12 (assessors) of the Rules of the Court of Session 1994. Paragraph 2(2) amends rule 12.5 to remove the requirement that a list of nautical assessors be kept. Paragraph 2(3) amends rule 12.7 to remove the bar on leading a skilled witness on nautical matters where a nautical assessor is assisting the court.

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