SCHEDULE Rule 19 (2)

FORM OF ATTESTATION

I hereby declare that the foregoing certified copy of a maintenance order has been duly registered by me in Part II of the Maintenance Orders Register kept in this court in terms of the Maintenance Orders Act, 1950, and Rule 19 (2) of the Act of Sederunt (Maintenance Orders Act, 1950, Rules) 1950. [Place and date].

A.B. Sheriff-clerk [depute] of

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 detailed procedural machinery for giving effect in Scotland to the Maintenance Orders Act, 1950.

SHERIFF COURT, SCOTLAND

Act of Sederunt (Sheriff Court Rules Amendment) 1950

1950 No. 1157 (S. 83)

Made - - - - *29th June*, 1950
Coming into Operation *2nd October*, 1950

The Lords of Council and Session under and by virtue of the powers conferred on them by section 34 of the Administration of Justice (Scotland) Act, 1933(a), do hereby enact as follows:—

1. The Rules contained in the First Schedule to the Sheriff Courts (Scotland) Act, 1907(b), as amended, shall be amended as follows:—

(i) Omit Rule 18 and in lieu thereof insert: "18. In an action in which appearance has been entered the pursuer shall, at tabling, lodge with the sheriff-clerk the initial writ, principal and duplicate interlocutor sheets, principal and borrowing inventory of process and a copy of the initial writ and warrant thereon, certified by the pursuer or his solicitor, which may thereafter be borrowed by the solicitor of any party to the process and such certified copy shall be sufficient warrant where competent, to arrest on the dependence. The sheriff-clerk shall endorse upon all pleadings the date when the same are lodged. The principal interlocutor sheets and the borrowing inventory shall remain in the custody of the sheriff-clerk. Separate precepts of arrestment may be issued by the sheriff-clerk upon production to him of a writ containing pecuniary conclusions upon which a warrant of citation has been granted, or of a liquid document of debt."

(ii) In Rule 42 omit "thereafter", and insert "or such other period thereafter as the sheriff may appoint"; and at the end insert "and at the same time the solicitor for the defender shall send a copy thereof to the solicitor for the pursuer".

(a) 23 & 24 Geo. 5. c. 41. (b) 7 Edw. 7. c. 51.

(iii) Omit Rule 45 and in lieu thereof insert:—" 45. Upon defences being lodged the parties shall forthwith and without any order by the sheriff proceed to adjust the pleadings, and it shall be the duty of the solicitor for either party on making any adjustment on the Initial Writ or Defences as the case may be to intimate to the solicitor for the other party that he has done so ".

(iv) After Rule 45, insert:—" 45A. When the pleadings have been adjusted the parties or either of them shall lodge with the sheriff clerk a written motion craving the Court to enrol the action at an ordinary court held on a day not less than four days thereafter, and the sheriff shall then close the record and pronounce such further order as may be just; provided that it shall be competent to either party at any time by written motion to crave the Court to close the record forthwith, or to make such further or other orders as the circumstances may require, or to dispose of any incidental motion."

(v) Omit Rule 46.

(vi) Omit Rule 52 and in lieu thereof insert:—" 52. Not later than six days after the closing of the record the pursuer shall lodge in process a certified copy of the closed record ".

2. This Act of Sederunt may be cited as the Act of Sederunt (Sheriff Court Rules Amendment) 1950 and shall come into operation on 2nd October, 1950.

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

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

Edinburgh, 29th June, 1950.

SHOPS

The Shops (Extension of Period of Emergency) Order, 1950

1950 No. 1771

Made - - - - 2nd November, 1950

At the Court at Buckingham Palace, the 2nd day of November, 1950

Present,

The King's Most Excellent Majesty in Council

Whereas it is provided by section seven of the Shops Act, 1950(a), that certain provisions of that Act relating to general closing hours which have effect only as respects the winter months shall expire on the tenth day of December, nineteen hundred and fifty, unless continued in force under that section:

And Whereas it is provided by that section that if an Address is presented to His Majesty by each House of Parliament praying that the said provisions should be continued in force for a further period not exceeding one year from the time at which they would otherwise expire, His Majesty may by Order in Council direct that they shall continue in force for that further period:

(a) 14 Geo. 6. c. 28.