



Scottish Civil Justice Council and Criminal Legal Assistance Act 2013

2013 asp 3

PART 1

SCOTTISH CIVIL JUSTICE COUNCIL

Functions and powers

4 Court of Session to consider rules

- (1) The Court of Session must consider any draft civil procedure rules^[F1], draft fees rules^[F2] or draft inquiry procedure rules^[F3] submitted to it by the Council and may—
 - (a) approve the rules,
 - (b) approve the rules with such modifications as it considers appropriate, or
 - (c) reject the rules.
- (2) Where the Court of Session approves draft civil procedure rules^[F3], draft fees rules^[F4] or draft inquiry procedure rules^[F5] (with or without modification) it must embody the approved rules in an act of sederunt.
- (3) Nothing in this Part affects the powers of the Court of Session to prepare or make rules—
 - ^[F5](a) which relate to a matter in section 2(5).
 - ^[F6](b) under section 105(1) or 106(1) of the Courts Reform (Scotland) Act 2014.]
 - ^[F7](c) under section 36(1) of the Inquiries into Fatal Accidents and Sudden Deaths etc. (Scotland) Act 2016.]

Textual Amendments

- F1** Words in s. 4(1) inserted (1.4.2015) by [Courts Reform \(Scotland\) Act 2014 \(asp 18\)](#), s. 138(2), [Sch. 5 para. 31\(3\)\(a\)](#); S.S.I. 2015/77, art. 2(2)(3), Sch.
- F2** Words in s. 4(1) inserted (15.1.2016) by [Inquiries into Fatal Accidents and Sudden Deaths etc. \(Scotland\) Act 2016 \(asp 2\)](#), s. 42(1), [Sch. 1 para. 1\(4\)\(a\)](#)

Changes to legislation: *Scottish Civil Justice Council and Criminal Legal Assistance Act 2013, Section 4 is up to date with all changes known to be in force on or before 25 May 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

- F3** Words in s. 4(2) inserted (1.4.2015) by Courts Reform (Scotland) Act 2014 (asp 18), s. 138(2), **Sch. 5 para. 31(3)(b)**; S.S.I. 2015/77, art. 2(2)(3), Sch.
- F4** Words in s. 4(2) inserted (15.1.2016) by Inquiries into Fatal Accidents and Sudden Deaths etc. (Scotland) Act 2016 (asp 2), s. 42(1), **Sch. 1 para. 1(4)(b)**
- F5** Words in s. 4(3) renumbered as s. 4(3)(a) (1.4.2015) by Courts Reform (Scotland) Act 2014 (asp 18), s. 138(2), **Sch. 5 para. 31(3)(c)(i)**; S.S.I. 2015/77, art. 2(2)(3), Sch.
- F6** S. 4(3)(b) inserted (1.4.2015) by Courts Reform (Scotland) Act 2014 (asp 18), s. 138(2), **Sch. 5 para. 31(3)(c)(ii)**; S.S.I. 2015/77, art. 2(2)(3), Sch.
- F7** S. 4(3)(c) inserted (15.1.2016) by Inquiries into Fatal Accidents and Sudden Deaths etc. (Scotland) Act 2016 (asp 2), s. 42(1), **Sch. 1 para. 1(4)(c)**

Commencement Information

- I1** S. 4 in force at 28.5.2013 by S.S.I. 2013/124, **art. 2** (with art. 3)

Changes to legislation:

Scottish Civil Justice Council and Criminal Legal Assistance Act 2013, Section 4 is up to date with all changes known to be in force on or before 25 May 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- s. 4(1) words inserted by [2014 asp 10 sch. 9 para. 13\(5\)\(a\)](#)
- s. 4(2) words inserted by [2014 asp 10 sch. 9 para. 13\(5\)\(b\)](#)
- specified provisions amendment to earlier commencing SSI 2013/271 art. 2 by [S.S.I. 2013/271 art. 2](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 2(1)(c)(ii) inserted by [2014 asp 10 sch. 9 para. 13\(2\)\(b\)\(ii\)](#)
- s. 2(1)(ba) inserted by [2014 asp 10 sch. 9 para. 13\(2\)\(a\)](#)
- s. 2(3)(ca) inserted by [2014 asp 10 sch. 9 para. 13\(3\)](#)
- s. 2(7) inserted by [2014 asp 10 sch. 9 para. 13\(4\)](#)
- s. 6(1)(aa) inserted by [2014 asp 10 sch. 9 para. 13\(6\)\(b\)](#)
- s. 6(1)(ea) inserted by [2014 asp 10 sch. 9 para. 13\(6\)\(c\)](#)
- s. 8(3A) inserted by [2014 asp 10 sch. 9 para. 13\(7\)\(b\)](#)
- s. 13A and cross-heading inserted by [2014 asp 10 sch. 9 para. 13\(9\)](#)
- s. 16(1) s. 16 renumbered as s. 16(1) by [2014 asp 10 sch. 9 para. 13\(10\)\(a\)](#)
- s. 16(1) words inserted by [2014 asp 10 sch. 9 para. 13\(10\)\(b\)](#)
- s. 16(2) inserted by [2014 asp 10 sch. 9 para. 13\(10\)\(c\)](#)