



Judiciary and Courts (Scotland) Act 2008

2008 asp 6

PART 3

THE COURTS

The Court of Session

46 Divisions of the Inner House

- (1) The Court of Session Act 1988 (c. 36) is amended as follows.
- (2) In section 2 (composition of the Court)—
 - (a) for subsection (3) substitute—

“(3) The Lord President may from time to time constitute, from among the judges of the Court, an extra Division of the Inner House for the purpose of hearing and disposing of causes pending before the Inner House; and any reference in this Act or in any other enactment to a Division of the Inner House shall be construed as including a reference to such an extra Division.”, and
 - (b) in subsection (4), at beginning, insert “ Subject to section 5(ba) below, ” .
- (3) In section 5 (power to regulate procedure etc. in the Court of Session by act of sederunt), after paragraph (b) insert—

“(ba) to make provision as to the quorum for a Division of the Inner House considering solely procedural matters, and, in the case of an extra Division, to make provision as to which judge is to preside and to sign any judgment or interlocutor pronounced by the extra Division;”.

Changes to legislation:

There are currently no known outstanding effects for the Judiciary and Courts (Scotland) Act 2008, Section 46.