

## SCHEDULE

### SHERIFF COURT ADOPTION RULES 2009

## CHAPTER 4

### PERMANENCE ORDERS

#### **Transfer of process**

**49.**—(1) Where an application under rule 40, 41 or 42 is made in a sheriff court other than the sheriff court in which the process relating to the permanence order is held—

- (a) the minute of application must contain averments as to the sheriff court in which the process relating to the permanence order is held;
- (b) the sheriff clerk with whom the application is lodged must notify the sheriff clerk of the sheriff court in which the process relating to the permanence order is held; and
- (c) the sheriff clerk of the sheriff court in which the process relating to the permanence order is held must, not later than 4 working days after receipt of such notification transfer that process to the sheriff clerk of the sheriff court in which the application is made.

(2) For the purposes of paragraph (1), the sheriff court in which the process relating to the order is held is the sheriff court in which the permanence order was granted or, where the process has been transferred under that paragraph, the last sheriff court to which the process has been transferred.

(3) A failure of the sheriff clerk to comply with paragraph (1) does not invalidate the application.