
SCOTTISH STATUTORY INSTRUMENTS

2015 No. 356

Act of Sederunt (Sheriff Appeal Court Rules) 2015

PART 5

INCIDENTAL PROCEDURE: STANDARD PROCEDURES

CHAPTER 17

WITHDRAWAL OF SOLICITORS

Peremptory hearing

17.4.—(1) At a peremptory hearing, the party whose solicitor has withdrawn from acting must appear or be represented in order to state whether the party intends to proceed.

(2) Where the party fails to comply with paragraph (1), the Court may make an order mentioned in paragraph (3) only if it is satisfied that the order and notice in Form 17.3 have been intimated to that party.

(3) The orders are—

- (a) if the party is the appellant, an order refusing the appeal; or
- (b) if the party is the respondent and the condition in paragraph (4) is satisfied, an order allowing the appeal.

(4) The condition is that the appellant must show cause why the appeal should be allowed.

(5) If the Court is not satisfied that the order and notice in Form 17.3 have been intimated to that party, it may make—

- (a) an order fixing a further peremptory hearing;
- (b) any other order that the Court considers appropriate to secure the expeditious disposal of the appeal.