
SCOTTISH STATUTORY INSTRUMENTS

2015 No. 356

Act of Sederunt (Sheriff Appeal Court Rules) 2015

PART 6

INCIDENTAL PROCEDURE: SPECIAL PROCEDURES

CHAPTER 20

DEVOLUTION ISSUES

Reference to the Inner House or Supreme Court: further procedure

20.7.—(1) On a reference being made, the appeal must, unless the Court otherwise orders, be sisted until the devolution issue has been determined.

(2) Despite a reference being made, the Court continues to have the power to make any interim order required in the interests of the parties.

(3) The Court may recall a sist for the purpose of making such interim orders.

(4) On a reference being made the Clerk must send the principal copy of the reference to (as the case may be)—

(a) the Deputy Principal Clerk of the Court of Session; or

(b) the Registrar of the Supreme Court (together with 7 copies).

(5) Unless the Court orders otherwise, the Clerk must not send the principal copy of the reference where an appeal against the making of the reference is pending.

(6) An appeal is to be treated as pending—

(a) until the expiry of the time for making that appeal; or

(b) where an appeal has been made, until that appeal has been determined.