
SCOTTISH STATUTORY INSTRUMENTS

2015 No. 356

Act of Sederunt (Sheriff Appeal Court Rules) 2015

PART 6

INCIDENTAL PROCEDURE: SPECIAL PROCEDURES

CHAPTER 26

REPORTING RESTRICTIONS

Interim orders: representations

26.3.—(1) Paragraph (2) applies where the Court has made an interim order.

(2) An interested person who would be directly affected by the making of an order is to be given an opportunity to make representations to the Court before the order is made.

(3) Representations are to—

- (a) be made in Form 26.3;
- (b) include reasons why an urgent hearing is necessary, if an urgent hearing is sought;
- (c) be lodged no later than 2 days after the interim order is sent to interested persons in accordance with rule 26.2(2).

(4) If representations are made—

- (a) the Court is to appoint a date and time for a hearing—
 - (i) on the first suitable court day; or
 - (ii) where the Court considers that an urgent hearing is necessary, at an earlier date and time;
- (b) the Clerk must—
 - (i) notify the date and time of the hearing to the parties to the proceedings and any person who has made representations; and
 - (ii) send a copy of the representations to the parties.

(5) Where no interested person makes representations in accordance with paragraph (3), the Clerk is to put the interim order before the Court in chambers in order that the Court may resume consideration of whether to make an order.

(6) Where the Court, having resumed consideration, makes no order, it must recall the interim order.

(7) Where the Court recalls an interim order, the Clerk must immediately notify any interested person.