
SCOTTISH STATUTORY INSTRUMENTS

2016 No. 313

SHERIFF COURT

Act of Sederunt (Sheriff Court Bankruptcy Rules) 2016

Made - - - - *6th October 2016*
Laid before the Scottish
Parliament - - - - *10th October 2016*
Coming into force - - *30th November 2016*

In accordance with section 4 of the Scottish Civil Justice Council and Criminal Legal Assistance Act 2013(1), the Court of Session has approved draft rules submitted to it by the Scottish Civil Justice Council with such modifications as it thinks appropriate.

The Court of Session therefore makes this Act of Sederunt under the powers conferred by paragraph 1A of schedule 2 of the European Communities Act 1972(2), section 104(1) of the Courts Reform (Scotland) Act 2014(3), section 26(6) and (8) of and paragraph 3 of schedule 4 of the Bankruptcy (Scotland) Act 2016(4) and all other powers enabling it to do so.

This Act of Sederunt makes provision for a purpose mentioned in section 2(2) of the European Communities Act 1972(5) and it appears to the Court of Session that it is expedient for the references in this Act of Sederunt to Council Regulation (E.C.) No. 1346/2000 of 29th May 2000 on insolvency proceedings, and to Regulation (E.C.) No. 1393/2007 of the European Parliament and of the Council of 13th November 2007 on the service in the Member States of judicial and extrajudicial documents in civil or commercial matters (service of documents), and repealing Council Regulation (E.C.) No. 1348/2000, be construed as references to those instruments as amended from time to time.

(1) 2013 asp 3. Section 4 was amended by the Courts Reform (Scotland) Act 2014 (asp 18), schedule 5, paragraph 31(3) and by the Inquiries into Fatal Accidents and Sudden Deaths etc. (Scotland) Act 2016 (asp 2), schedule 1, paragraph 1(4).
(2) 1972 c. 68. Paragraph 1A of schedule 2 was inserted by the Legislative and Regulatory Reform Act 2006 (c. 51), section 28, and amended by the European Union (Amendment) Act 2008 (c. 7), schedule, Part 1.
(3) 2014 asp 18.
(4) 2016 asp 21.
(5) 1972 c. 68. Section 2(2) was amended by the Legislative and Regulatory Reform Act 2006 (c. 51), section 27(1)(a), and by the European Union (Amendment) Act 2008 (c. 7), schedule, Part 1.