
SCOTTISH STATUTORY INSTRUMENTS

2017 No. 459

**Act of Sederunt (Summary Applications, Statutory Applications and Appeals etc. Rules Amendment)
(Transfer from Lands Tribunal for Scotland) 2017**

Amendment of the Summary Application Rules 1999

2.—(1) The Act of Sederunt (Summary Applications, Statutory Applications and Appeals etc. Rules) 1999(1) is amended in accordance with this paragraph.

(2) After Part XLIX (illegal working orders)(2) of Chapter 3 (rules on applications under specific statutes) insert—

“PART L

**TRANSFERS FROM THE LANDS TRIBUNAL FOR SCOTLAND TO
THE SHERIFF UNDER THE ELECTRONIC COMMUNICATIONS CODE**

Interpretation

3.50.1. In this Part “the Jurisdiction Regulations” means the Electronic Communications Code (Jurisdiction) Regulations 2017(3).

Transfer from Lands Tribunal for Scotland

3.50.2.—(1) On receipt of the documentation in proceedings which have been transferred from the Lands Tribunal for Scotland to the sheriff under regulation 5 of the Jurisdiction Regulations, the sheriff clerk must record the date of receipt on the first page of the documentation.

(2) Within 7 days of receipt of the documentation referred to in paragraph (1), the sheriff may make such order as he or she thinks fit to secure, so far as practicable, that the cause thereafter proceeds in accordance with these Rules.

(3) An order under paragraph (2) may include—

- (a) where the cause has not been intimated to the respondent before being transferred to the sheriff, an order for the applicant to make intimation of the cause to the respondent;
- (b) where no response has been lodged by the respondent in the cause, an order for answers to be lodged;
- (c) an order for a hearing to determine further procedure.”.

(1) [S.I. 1999/929](#), last amended by [S.S.I. 2017/386](#).

(2) Part XLIX was inserted by [S.S.I. 2017/386](#).

(3) [S.I. 2017/1284](#), which comes into force on 28th December 2017.

Status: *This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*
