



Judicial Factors Act 1849

1849 CHAPTER 51 12 and 13 Vict

[1.] Interpretation of terms in this Act.

The following words and expressions in this Act shall have the meanings hereby assigned to them, unless there be something in the subject or context repugnant to such construction; (that is to say,) the expression “judicial factor” or “factor” shall mean [^{F1}factor loco tutoris], factor loco absentis, [^{F2}and curator bonis]; ^{F3}. . . [^{F2}the word “tutor” shall mean any person who after the passing of this Act shall be served tutor of law [^{F1}to any pupil], or be appointed tutor-dative to any [^{F1}pupil or][^{F4}person suffering from mental disorder within the meaning of the Mental Health (Scotland) Act, 1960] the word “curator” shall mean any person who after the passing of this Act shall be served as curator to any [^{F4}person suffering from mental disorder within the meaning of the ^{M1}Mental Health (Scotland) Act, 1960]]; the word “accountant” shall mean the accountant of the Court of Session, to be appointed under the authority of this Act; the expression “lord ordinary” shall mean the lord ordinary of the Court of Session discharging the duties of junior lord ordinary in time of session, and the lord ordinary on the bills in the time of vacation; the expression “Court of Session” or “court” shall, excepting as to the power of passing acts of sederunt mean either division of the Court of Session; the word “estate” shall include all property and funds, and all rights heritable and moveable; the word “lands” shall include all heritable subjects; words used in the singular number shall be held to include several persons or things; and words importing the masculine gender shall extend and be applied to females as well as males.

Textual Amendments

- F1** Words in s. 1 repealed (S.)(25.9.1991) by Age of Legal Capacity (Scotland) Act 1991 (c. 50, SIF 49:8), ss. 10(2), 11(2), **Sch. 2** (with s. 1(3))
- F2** Words in s. 1 repealed (S.) (1.4.2002) by 2000 asp 4, s. 88(3), **Sch. 6**; S.S.I. 2001/81, art. 3, **Sch. 2**
- F3** Words in s. 1 repealed (1.11.1996) by 1995 c. 36, s. 105(4)(5), Sch. 4 para. 2(2), **Sch. 5**; S.I. 1996/2203, art. 3(3), **Sch.**
- F4** Words substituted by Mental Health (Scotland) Act 1960 (c. 61), **Sch. 4**

Changes to legislation: *There are currently no known outstanding effects for the Judicial Factors Act 1849, Section 1. (See end of Document for details)*

Marginal Citations

M1 [1960 c. 61.](#)

Changes to legislation:

There are currently no known outstanding effects for the Judicial Factors Act 1849, Section 1.