

1971 No. 167 (S.16)

SHERIFF COURT, SCOTLAND

Act of Sederunt (Citation of Defenders in the Sheriff Court) 1971

Made - - - 28th January 1971

Coming into Operation 29th January 1971

The Lords of Council and Session, under and by virtue of the powers conferred upon them by section 34 of the Administration of Justice (Scotland) Act 1933(a) and of all other powers competent to them in that behalf, do hereby enact and declare as follows :—

1. For so long only as there shall continue to be no postal delivery service provided by the Post Office, there shall, for the purpose of citing a defender in any civil proceedings in the Sheriff Court when postal citation is competent, be deemed to be sufficient compliance with any statutory requirement for the citation of such defender by post if the solicitor to a party or any person authorised by him shall deliver the citation form to the defender or shall leave it at his residence. The execution of citation in any such case shall be signed by such solicitor or person authorised as aforesaid, who shall be designed in the execution. Such execution shall set forth the mode of citation.

2. This Act of Sederunt may be cited as the Act of Sederunt (Citation of Defenders in the Sheriff Court) 1971 and shall come into operation on 29th January 1971.

And the Lords appoint this Act of Sederunt to be inserted in the Books of Sederunt.

J. L. Clyde,
I.P.D.

Edinburgh.
28th January 1971.

EXPLANATORY NOTE

(This Note is not part of the Act of Sederunt.)

This Act of Sederunt, which applies only to the Sheriff Court, permits delivery of the citation of a defender by a solicitor or a person authorised by him in place of postal citation. The Act of Sederunt will remain in force only during the present Post Office strike.