
 STATUTORY INSTRUMENTS

1971 No. 356 (S. 48)

COURT OF SESSION, SCOTLAND**SHERIFF COURT, SCOTLAND****Act of Sederunt (Extension of Prescribed Time) 1971***Made* - - - - *4th March 1971**Coming into Operation* *5th March 1971*

The Lords of Council and Session, under and by virtue of the powers conferred upon them by section 16 and 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. In this Act of Sederunt, “the Court” shall mean the Court of Session or the Sheriff Court as the case may be.

2.—(1) Without prejudice to any other powers competent to the Court under statute or at common law, the Court may in its discretion relieve any party to proceedings before it from the consequences of any failure to comply with such of the provisions of any statute, act of sederunt, rule or other enactment as prescribe a time within which anything is to be done, provided that the Court is satisfied that such failure has occurred as a result of the cessation of postal delivery services and that there has been no wilful non-observance of such provisions.

(2) In any such case as is referred to in sub-paragraph (1) hereof, the Court may make such order as may be just so as to enable the proceedings to be conducted as if such failure had not occurred.

3. This Act of Sederunt may be cited as the Act of Sederunt (Extension of Prescribed Time) 1971 and shall come into operation on 5th March 1971.

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

Edinburgh,
4th March 1971.

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

EXPLANATORY NOTE

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

This Act of Sederunt empowers the Court of Session or the Sheriff Court to relieve any party to proceedings before it from the consequences of any failure to comply with the provisions of any enactment prescribing a time within which anything is to be done, provided that the failure is a result of the present cessation of postal delivery services provided by the Post Office and that there has been no wilful non-observance of such provisions.