

1971 No. 357 (S. 49)

**SHERIFF COURT, SCOTLAND**  
**Act of Sederunt (Removal Notices) 1971**

*Made* - - - - - *3rd March 1971*

*Coming into Operation* *4th March 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 giving any removal notice under section 34, 35, 36, 37 or 38 of the Sheriff Courts (Scotland) Act 1907(b), be deemed to be sufficient compliance with the provisions of Rule 113 of the First Schedule to the said Act if the solicitor to the person entitled to give such notice or any person authorised by such solicitor shall deliver the notice to the person entitled to receive such notice or shall leave it at his residence; and a certificate recording that the notice was so delivered or left, signed by such solicitor or person authorised as aforesaid, who shall be designed in the certificate, shall be *prima facie* evidence that such notice has been given.

2. This Act of Sederunt may be cited as the Act of Sederunt (Removal Notices) 1971 and shall come into operation on 4th March 1971.

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

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

Edinburgh,  
3rd March 1971.

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**EXPLANATORY NOTE**

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

This Act of Sederunt, which remains in force only so long as there is no postal delivery service provided by the Post Office, provides that a removal notice under section 34, 35, 36, 37 or 38 of the Sheriff Courts (Scotland) Act 1907 may be given by the notice being delivered to the tenant or left at his residence by the landlord's solicitor or a person authorised by such solicitor.

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(a) 1933 c. 41.

(b) 1907 c. 51