Scottish Civil Justice Council and Criminal Legal Assistance Act 2013

2013 asp 3

PART 1 S

SCOTTISH CIVIL JUSTICE COUNCIL

Functions and powers

4   Court of Session to consider rules S

(1) The Court of Session must consider any draft civil procedure rules[**F1**, draft fees rules][**F2**or draft inquiry procedure rules] submitted to it by the Council and may—

    (a)   approve the rules,

    (b)   approve the rules with such modifications as it considers appropriate, or

    (c)   reject the rules.

(2) Where the Court of Session approves draft civil procedure rules[**F3**, draft fees rules][**F4**or draft inquiry procedure rules] (with or without modification) it must embody the approved rules in an act of sederunt.

(3) Nothing in this Part affects the powers of the Court of Session to prepare or make rules—

[**F5**(a)]   which relate to a matter in section 2(5).

[**F6**(b)]   under section 105(1) or 106(1) of the Courts Reform (Scotland) Act 2014.]

[**F7**(c)]   under section 36(1) of the Inquiries into Fatal Accidents and Sudden Deaths etc. (Scotland) Act 2016.]

Textual Amendments

    F1   Words in s. 4(1) inserted (1.4.2015) by Courts Reform (Scotland) Act 2014 (asp 18), s. 138(2), **Sch. 5 para. 31(3)(a)**; S.S.I. 2015/77, art. 2(2)(3), Sch.

    F2   Words in s. 4(1) inserted (15.1.2016) by Inquiries into Fatal Accidents and Sudden Deaths etc. (Scotland) Act 2016 (asp 2), s. 42(1), **Sch. 1 para. 1(4)(a)**

Changes to legislation: *Scottish Civil Justice Council and Criminal Legal Assistance Act 2013, Section*
4 is up to date with all changes known to be in force on or before 03 September 2023. There are changes
that may be brought into force at a future date. Changes that have been made appear in the content
and are referenced with annotations. (See end of Document for details) View outstanding changes

F3   Words in s. 4(2) inserted (1.4.2015) by Courts Reform (Scotland) Act 2014 (asp 18), s. 138(2), **Sch. 5 para. 31(3)(b)**; S.S.I. 2015/77, art. 2(2)(3), Sch.

F4   Words in s. 4(2) inserted (15.1.2016) by Inquiries into Fatal Accidents and Sudden Deaths etc. (Scotland) Act 2016 (asp 2), s. 42(1), **Sch. 1 para. 1(4)(b)**

F5   Words in s. 4(3) renumbered as s. 4(3)(a) (1.4.2015) by Courts Reform (Scotland) Act 2014 (asp 18), s. 138(2), **Sch. 5 para. 31(3)(c)(i)**; S.S.I. 2015/77, art. 2(2)(3), Sch.

F6   S. 4(3)(b) inserted (1.4.2015) by Courts Reform (Scotland) Act 2014 (asp 18), s. 138(2), **Sch. 5 para. 31(3)(c)(ii)**; S.S.I. 2015/77, art. 2(2)(3), Sch.

F7   S. 4(3)(c) inserted (15.1.2016) by Inquiries into Fatal Accidents and Sudden Deaths etc. (Scotland) Act 2016 (asp 2), s. 42(1), **Sch. 1 para. 1(4)(c)**

Commencement Information

I1   S. 4 in force at 28.5.2013 by S.S.I. 2013/124, **art. 2** (with art. 3)

Changes to legislation:
Scottish Civil Justice Council and Criminal Legal Assistance Act 2013, Section 4 is up to date with all changes known to be in force on or before 03 September 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.
View outstanding changes

Changes and effects yet to be applied to :
– s. 4(1) words inserted by 2014 asp 10 sch. 9 para. 13(5)(a)
– s. 4(2) words inserted by 2014 asp 10 sch. 9 para. 13(5)(b)
– specified provisions amendment to earlier commencing SSI 2013/271 art. 2 by S.S.I. 2013/271 art. 2

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:
Whole provisions yet to be inserted into this Act (including any effects on those provisions):
– s. 2(1)(c)(ii) inserted by 2014 asp 10 sch. 9 para. 13(2)(b)(ii)
– s. 2(1)(ba) inserted by 2014 asp 10 sch. 9 para. 13(2)(a)
– s. 2(3)(ca) inserted by 2014 asp 10 sch. 9 para. 13(3)
– s. 2(7) inserted by 2014 asp 10 sch. 9 para. 13(4)
– s. 6(1)(aa) inserted by 2014 asp 10 sch. 9 para. 13(6)(b)
– s. 6(1)(ea) inserted by 2014 asp 10 sch. 9 para. 13(6)(c)
– s. 8(3A) inserted by 2014 asp 10 sch. 9 para. 13(7)(b)
– s. 13A and cross-heading inserted by 2014 asp 10 sch. 9 para. 13(9)
– s. 16(1) s. 16 renumbered as s. 16(1) by 2014 asp 10 sch. 9 para. 13(10)(a)
– s. 16(1) words inserted by 2014 asp 10 sch. 9 para. 13(10)(b)
– s. 16(2) inserted by 2014 asp 10 sch. 9 para. 13(10)(c)