

Status: Point in time view as at 02/10/2000.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Sheriff Courts (Scotland) Act 1907. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULES

^{F1}FIRST SCHEDULE

ORDINARY CAUSE RULES 1993

Textual Amendments

- F1** Sch. 1 (with appendices 1 and 2) substituted (1.1.1994) for Sch. 1 (with appendix) by [S.I. 1993/1956, para. 2, Sch.1](#).
Sch. 1 (except rule 29.10) excluded (1.4.1997) by [S.I. 1997/291, rule 3.24](#), Sch. 3
Sch. 1 extended (14.2.2000) by [S.I. 2000/124, reg. 30\(5\)](#)

[^{F1}SPECIAL PROVISIONS IN RELATION TO PARTICULAR CAUSES]

CHAPTER 33

FAMILY ACTIONS

PART XIII

CHILD SUPPORT ACT 1991

Interpretation of this Part

- 33.88. ^{F1} . . . In this Part—
“the Act of 1991” means the ^{M1}Child Support Act 1991;
“child” has the meaning assigned in section 55 of the Act of 1991;
“maintenance assessment” has the meaning assigned in section [^{F2}54] of the Act of 1991.

Textual Amendments

- F1** [Rule 33.88](#): “-(1)” at the beginning is omitted (1.11.1996) by [S.I. 1996/2445, para. 3\(56\)\(a\)](#)
F2 Word in [rule 33.88](#) substituted (1.11.1996) by [S.I. 1996/2445, para. 3\(56\)\(b\)](#)

Marginal Citations

- M1** [1991 c.48](#).

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Restriction of expenses

- 33.89. Where the Secretary of State is named as a defender in an action for declarator of nonparentage or illegitimacy, and the Secretary of State does not defend the action, no expenses shall be awarded against the Secretary of State.

Effect of maintenance assessments

- 33.90. The sheriff clerk shall, on receiving notification that a maintenance assessment has been made, cancelled or has ceased to have effect so as to affect an order of a kind prescribed for the purposes of section 10 of the Act of 1991, endorse on the interlocutor sheet relating to that order a certificate, in Form F39 or F40, as the case may be.

Effect of maintenance assessments on extracts relating to aliment

- 33.91. (1) Where an order relating to aliment is affected by a maintenance assessment, any extract of that order issued by the sheriff clerk shall be endorsed with the following certificate:—

“A maintenance assessment having been made under the Child Support Act 1991 on (insert date), this order, in so far as it relates to the making or securing of periodical payments to or for the benefit of (insert name(s) of child/children), ceases to have effect from (insert date two days after the date on which the maintenance assessment was made)”.

- (2) Where an order relating to aliment has ceased to have effect on the making of a maintenance assessment, and that maintenance assessment is later cancelled or ceases to have effect, any extract of that order issued by the sheriff clerk shall be endorsed also with the following certificate:—

“The jurisdiction of the child support officer under the Child Support Act 1991 having terminated on (insert date), this order, in so far as it relates to (insert name(s) of child/children), again shall have effect as from (insert date of termination of child support officer’s jurisdiction)”.

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