
SCOTTISH STATUTORY INSTRUMENTS

2008 No. 41

**Act of Sederunt (Summary Applications,
Statutory Applications and Appeals etc. Rules)
Amendment (Registration Appeals) 2008**

Amendment of Summary Application Rules

2.—(1) Part XI of the Act of Sederunt (Summary Applications, Statutory Applications and Appeals etc. Rules) 1999⁽¹⁾ (Representation of the People Act 1983) is amended in accordance with the following sub-paragraphs.

(2) In rule 3.11.1 (interpretation and application)—

(a) in paragraph (1), for “rule 3.11.2” substitute “rules 3.11.2, 3.11.22 and 3.11.23 ”;

(b) for paragraph (2) substitute—

“(2) In this Part—

(a) rules 3.11.2 to 3.11.21 apply to election petitions under the Act; and

(b) rules 3.11.22 to 3.11.24 apply to registration appeals under section 56 of the Act where the appellant is a person—

(i) whose entry in the register is an anonymous entry; or

(ii) who has applied for such an entry.”.

(3) After rule 3.11.21 insert—

“Application for serial number

3.11.22.—(1) Where a person desiring to appeal wishes to prevent his identity being disclosed he may, before lodging the appeal, apply to the sheriff clerk for a serial number to be assigned to him for all purposes connected with the appeal.

(2) On receipt of an application for a serial number, the sheriff clerk shall assign such a number to the applicant and shall enter a note of it opposite the name of the applicant in the register of such serial numbers.

(3) The contents of the register of serial numbers and the names of the persons to whom each number relates shall be treated as confidential by the sheriff clerk and shall not be disclosed to any person other than—

(a) the sheriff;

(b) the registration officer whose decision or determination is the subject of the appeal.

(4) In this rule and in rule 3.11.23 “sheriff clerk” means the sheriff clerk of the sheriff court district in which the appeal is or is to be raised.

⁽¹⁾ S.I.1999/929, amended by S.S.I. 2000/148 and 387, 2001/142, 2002/7, 129, 130, 146 and 563, 2003/26, 27, 98, 261, 319, 346 and 556, 2004/197, 222, 334 and 455, 2005/61, 473, 504 and 648, 2006/410, 437 and 509 and 2007/6, 233, 339, 440 and 463 and 2008/9.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Confidentiality

3.11.23. Unless the sheriff otherwise directs, all documents lodged in process of an appeal to which this rule applies are to be available only to the sheriff and the parties; and such documents are to be treated as confidential by all persons involved in, or party to, the proceedings and by the sheriff clerk.

Hearing

3.11.24. The hearing of an appeal to which this rule applies is to be in private.”.