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SCOTTISH STATUTORY INSTRUMENTS

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**2009 No. 294**

**Act of Sederunt (Sheriff Court Rules)  
(Miscellaneous Amendments) 2009**

**Counter-Terrorism Act 2008: foreign travel restriction orders**

**18.** After Part XXXVII (Employment Tribunals Act 1996) of the Summary Application Rules<sup>(1)</sup>, insert—

“PART XXXVIII

**Counter-Terrorism Act 2008**

**Variation, renewal or discharge of foreign travel restriction order**

**3.38.**—(1) Where an application under paragraph 9 of Schedule 5 to the Counter-Terrorism Act 2008<sup>(2)</sup> for an order varying, renewing or discharging a foreign travel restriction order is made in a sheriff court other than the sheriff court in which the process relating to the foreign travel restriction order is held—

- (a) the initial writ containing the application shall contain averments as to the sheriff court in which the process relating to the foreign travel restriction order is held;
- (b) the sheriff clerk with whom the application is lodged shall notify the sheriff clerk of the sheriff court in which the process relating to the foreign travel restriction order is held; and
- (c) the sheriff clerk of the sheriff court in which the process relating to the foreign travel restriction order is held shall, not later than 4 days after receipt of such notification, transfer the process relating to the foreign travel restriction order to the sheriff clerk of the sheriff court in which the application is made.

(2) For the purposes of paragraph (1), the sheriff court in which the process relating to the order is held is the sheriff court in which the foreign travel restriction order was granted or, where the process has been transferred under that paragraph, the last sheriff court to which the process has been transferred.

(3) A failure of the sheriff clerk to comply with paragraph (1) shall not invalidate the application.”.

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(1) Part XXXVII was inserted by [S.S.I. 2009/109](#).

(2) [2008 c.28](#).