

SCHEDULE

RULES OF THE SCOTTISH LAND COURT 2014

Interpretation

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2. In these rules, unless the context otherwise requires—

“the Act” means the Scottish Land Court Act 1993;

“advocate” means a member of the Faculty of Advocates;

“the auditor of court” is the Principal Clerk or any other person to whom the Principal Clerk has delegated the role of auditor;

“appropriate form” has the meaning given by rule 3;

“Chairman” means the Chairman of the Scottish Land Court and, in relation to judicial functions, includes any Deputy Chairman;

“day” means a clear working day (that is to say a day when the office of the court is open to the public);

“divisional court” means a member (or 2 members) of the Scottish Land Court to whom powers have been delegated under paragraph 6 of Schedule 1 to the Act;

“electronic means” means email, fax, memory sticks, CD ROMs or other means of electronic communication of the contents of documents;

“final decision” means, as regards a substantive issue, a decision declared by the court to be a final decision on that issue;

“final order” means an order of the court which either by itself or taken with a previous order or orders disposes of the subject matter of all substantive issues in a case and of the question of liability for expenses (even if issues of law or of fact referred to in the pleadings have not been decided or issues of modification, taxation or the like in relation to expenses are still to be resolved);

“hearing” includes a hearing by way of debate and a procedural hearing;

“hear” or “be heard” means that an opportunity is to be given to a party to make representations either orally or in writing;

“practice note” means a formal statement signed by the Chairman, providing for the conduct of the business of the court or giving guidance in dealing with proceedings pending before the court;

“solicitor” means a solicitor qualified in terms of section 4 of the Solicitors (Scotland) Act 1980; and

“Table of Fees” means the Table of Fees in the Schedule to the Scottish Land Court (Fees) Order 1996(1).