
SCOTTISH STATUTORY INSTRUMENTS

2015 No. 228

**Act of Sederunt (Rules of the Court of Session 1994
Amendment) (No. 3) (Courts Reform (Scotland) Act 2014) 2015**

Amendment of the Rules of the Court of Session 1994: appeals to the Supreme Court

- 5.—(1) The Rules of the Court of Session 1994 are amended in accordance with this paragraph.
(2) After Chapter 41 (appeals under statute)(1), insert —

“CHAPTER 41A

APPEALS TO THE SUPREME COURT

Application of this Chapter

41A.1. This Chapter applies to an application for permission to appeal to the Supreme Court under section 40(1)(a) or (3) of the Act of 1988(2).

Applications for permission to appeal

- 41A.2.**—(1) An application is made in Form 41A.2.
(2) The application must set out the proposed grounds of appeal and the basis on which permission to appeal is sought.

Determination of applications for permission to appeal

- 41A.3.**—(1) An application must, without a motion being enrolled, be brought before the Inner House on the first available day after being made for an order for—
- (a) service of the application on the respondent and such other person as the Inner House thinks fit within 7 days of the date of the order or such other period as is thought fit;
 - (b) any person on whom the application has been served to lodge answers, if so advised, within 14 days after the date of service or within such other period as is thought fit.
- (2) Where an application is served under paragraph (1), evidence of service in accordance with Chapter 16 of these Rules is to be provided to the General Department within 14 days from the date of service.
- (3) Within 14 days after expiry of the period within which answers may be lodged, the applicant may apply by motion to the Inner House for the application to be granted.”
- (3) In the Appendix, after Form 41.59 (form of application for Marine Licence Applications etc.)(3), insert Form 41A.2 set out in Schedule 2 to this Act of Sederunt.

(1) Chapter 41 was substituted by [S.S.I. 2011/303](#) and last amended by [S.S.I. 2015/35](#).

(2) Section 40 was substituted by the Courts Reform (Scotland) Act 2014 [asp 18](#), section 117.

(3) Form 41.59 was inserted by [S.S.I. 2015/35](#).

Status: This is the original version (as it was originally made).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