
SCOTTISH STATUTORY INSTRUMENTS

2019 No. 140

**Act of Sederunt (Summary Applications, Statutory Applications and Appeals etc. Rules Amendment)
(Labour Market Enforcement Orders) 2019**

Amendment of the Summary Application Rules 1999

2.—(1) The Act of Sederunt (Summary Applications, Statutory Applications and Appeals etc. Rules) 1999⁽¹⁾ is amended in accordance with this paragraph.

(2) In Part XLIX (illegal working orders)⁽²⁾—

- (a) in the Part heading, after “WORKING” insert “AND LABOUR MARKET ENFORCEMENT”;
- (b) after rule 3.49.3 (applications for compensation) insert—

“Labour market enforcement orders

3.49.4.—(1) An application under section 19 of the Act is to contain details of any labour market enforcement order made under section 18 of the Act which is already in force in respect of the subject of the application.

(2) An application under section 23 of the Act for variation or discharge of a labour market enforcement order made under section 18 of the Act is to be made by minute in the process relating to the order.

(3) Where an application referred to in paragraph (2) is made in a sheriff court other than the sheriff court in which the process relating to the order is held—

- (a) the sheriff clerk with whom the application is lodged is to notify the sheriff clerk of the sheriff court in which the process relating to the order is held; and
- (b) the sheriff clerk of the sheriff court in which the process relating to the order is held is, not later than 4 days after receipt of such notification, to transfer the process relating to the order to the sheriff clerk of the sheriff court in which the application is made.

(4) For the purposes of paragraph (3), the sheriff court in which the process relating to the order is held is the sheriff court in which the order was made or, where the process has been transferred under that paragraph, the last sheriff court to which the process has been transferred.”

(1) [S.I. 1999/929](#), last amended by [S.S.I. 2017/460](#).

(2) Part XLIX was inserted by [S.S.I. 2017/386](#).