
SCOTTISH STATUTORY INSTRUMENTS

2020 No. 166

Act of Sederunt (Rules of the Court of Session 1994 and Sheriff Court Rules Amendment) (Miscellaneous) 2020

Amendment of the Summary Application Rules 1999

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

(2) After Part LI (drug dealing telecommunications restriction orders)(2), insert—

“PART LII

CARE HOMES: EMERGENCY INTERVENTION ORDERS

Interpretation

3.52.1. In this Part—

“the 2010 Act” means the Public Services Reform (Scotland) Act 2010 as modified by paragraph 17 (emergency intervention orders) of schedule 1 of the Coronavirus (Scotland) (No.2) Act 2020;

“emergency intervention order” has the meaning given by section 65A(2) (care homes: emergency intervention orders) of the 2010 Act.

Applications under section 65A of the 2010 Act

3.52.2.—(1) An application for an emergency intervention order under section 65A(1) of the 2010 Act must be made by summary application.

(2) An interim order under section 65A(3) of the 2010 Act must be sought by crave in the initial writ for the emergency intervention order.

(3) An application under section 65A(13) of the 2010 Act for variation, extension or revocation of an emergency intervention order must be made by minute in the process for the emergency intervention order to which it relates.

(4) An application under section 65A(14) of the 2010 Act for variation or recall of an interim order granted under section 65A(3) of that Act must be made by motion in the process of the emergency intervention order to which it relates.”.

(1) S.I. 1999/929, last amended by S.S.I. 2020/28.

(2) Part LI was inserted by S.S.I. 2017/460.