



Court of Session Act 1988

1988 CHAPTER 36

PART IV

OTHER CAUSES

[^{F1}Applications to the supervisory jurisdiction of the Court

[^{F1} 27C Oral hearings where permission refused, etc.

- (1) Subsection (2) applies where, in relation to an application to the supervisory jurisdiction of the Court—
 - (a) the Court—
 - (i) refuses permission under subsection 27B(1) for the application to proceed, or
 - (ii) grants permission for the application to proceed subject to conditions or only on particular grounds, and
 - (b) the Court decides to refuse permission, or grant permission as mentioned in paragraph (a)(ii), without an oral hearing having been held.
- (2) The person making the application may, within the period of 7 days beginning with the day on which that decision is made, request a review of the decision at an oral hearing.
- (3) A request under subsection (2) must be considered by a different Lord Ordinary from the one who refused permission or granted permission as mentioned in subsection (1)(a)(ii).
- (4) Where a request under subsection (2) is granted, the oral hearing must be conducted before a different Lord Ordinary from the one who refused or so granted permission.
- (5) At a review following a request under subsection (2), the Court must consider whether to grant permission for the application to proceed; and subsections (2), (3) and (4) of section 27B apply for that purpose.
- (6) Section 28 does not apply—

Status: Point in time view as at 22/09/2015.

Changes to legislation: Court of Session Act 1988, Section 27C is up to date with all changes known to be in force on or before 10 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- (a) where subsection (2) applies, or
- (b) in relation to the refusal of a request made under subsection (2).]

Textual Amendments

- F1** Ss. 27A-27D and cross-heading inserted (22.9.2015) by Courts Reform (Scotland) Act 2014 (asp 18), ss. 89, 138(2); S.S.I. 2015/247, art. 2, Sch. (with art. 4)

Modifications etc. (not altering text)

- C1** S. 27C applied (with modifications) (22.9.2015) by Revenue Scotland and Tax Powers Act 2014 (asp 16), ss. 41(3)(b)(4), 260(2) (with ss. 257-259); S.S.I. 2015/247, art. 2, Sch.; S.S.I. 2015/110, art. 2(2)
- C2** Ss. 27C, 27D applied by 2014 asp 10, s. 57A(3)(b) (as inserted (22.9.2015) by Courts Reform (Scotland) Act 2014 (asp 18), s. 138(2), **Sch. 5 para. 24**; S.S.I. 2015/247, art. 2, Sch.)
- C3** S. 27C(3)(4) modified by 2014 asp 10, s. 57A(4) (as inserted (22.9.2015) by Courts Reform (Scotland) Act 2014 (asp 18), s. 138(2), **Sch. 5 para. 24**; S.S.I. 2015/247, art. 2, Sch.)

Status:

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