

Status: Point in time view as at 29/01/2007.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Sheriff Courts (Scotland) Act 1907. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULES

^{F1}FIRST SCHEDULE

ORDINARY CAUSE RULES 1993

Textual Amendments

- F1** Sch. 1 (with appendices 1 and 2) substituted (1.1.1994) for Sch. 1 (with appendix) by [S.I. 1993/1956](#), para. 2, [Sch.1](#).
Sch. 1 (except rule 29.10) excluded (1.4.1997) by [S.I. 1997/291](#), [rule 3.24](#), Sch. 3
Sch. 1 extended (14.2.2000) by [S.I. 2000/124](#), [reg. 30\(5\)](#)

[^{F1}INITIATION AND PROGRESS OF CAUSES]

CHAPTER 28

RECOVERY OF EVIDENCE

Execution of orders for preservation etc. of documents or other property under section 1(1) of the Act of 1972

- 28.7. (1) An order under section 1(1) of the Act of 1972 for the preservation, custody and detention of a document or other property ^{F1} . . . shall grant a commission and diligence for the detention and custody of that document or other property.
- (2) The party who has obtained an order under paragraph (1) shall—
- provide the commissioner with a copy of the specification, a copy of the pleadings (including any adjustments and amendments) and a certified copy of the interlocutor of his appointment;
 - be responsible for the fees of the commissioner and his clerk; and
 - serve a copy of the order on the haver.
- (3) The report of the execution of the commission and diligence, any document or other property taken by the commissioner and an inventory of such property, shall be sent by the commissioner to the sheriff clerk for the further order of the sheriff.

Textual Amendments

- F1** Words in [rule 28.7\(1\)](#) omitted (1.11.1996) by [S.I. 1996/2445](#), [para. 3\(35\)](#)

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