



Sheriff Courts (Scotland) Act 1907

1907 CHAPTER 51 7 Edw 7

APPEALS

[^{F1}28 Appeal to Court of Session.

- (1) Subject to the provisions of this Act, it shall be competent to appeal to the Court of Session against a judgment either of a [^{F2}sheriff principal or sheriff] if the interlocutor appealed against is a final judgment or is an interlocutor—
- (a) Granting interim decree for payment of money other than a decree for expenses; or
 - (b) Sisting an action; or
 - (c) Refusing a reponing note; or
 - (d) Against which the [^{F2}sheriff principal or sheriff] either ex proprio motu or on the motion of any party, grants leave to appeal:

...
^{F3}

- (2) Nothing in this section nor in section twenty-seven of this Act contained shall affect any right of appeal or exclusion of such right provided by any Act of Parliament in force for the time being.]

Textual Amendments

- F1** S. 28 substituted by Sheriff Courts (Scotland) Act 1913 (2 & 3 Geo. 5 c. 28), s. 2
F2 Words substituted by virtue of Sheriff Courts (Scotland) Act 1971 (c. 58), s. 4
F3 S. 28 proviso repealed by Sheriff Courts (Scotland) Act 1971 (c. 58), Sch. 2 Pt. II

Modifications etc. (not altering text)

- C1** S. 28 applied (1.5.2003) by 2000 asp 7, ss. 22(7), 26(6), 37(2) (with s. 31); S.S.I. 2003/74, art. 2(2)(b)

Status:

Point in time view as at 01/02/1991.

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.