



Administration of Justice (Scotland) Act 1933

1933 CHAPTER 41 23 and 24 Geo 5

PART I

COURT OF SESSION

16 Power to regulate procedure, &c., by Act of Sederunt.

The Court shall have power by Act of Sederunt—

- (a) to regulate and prescribe the procedure and practice to be followed in various categories of causes in the Court or in execution or diligence following on such causes, whether initiated in the said Court or brought there by way of appeal, removal, remit, stated case, or other like process, and any matters incidental or relating to any such procedure or practice including (but without prejudice to the foregoing generality) the manner in which, the time within which, and the conditions on which any interlocutor of the Lord Ordinary may be submitted to the review of the Inner House, or any application to the Court, or any thing required or authorised to be done in relation to any such causes as aforesaid shall or may be made or done;
- (b) to prescribe the form of any summons, defence, petition, answer, writ, pleading or other document whatsoever to be used in, or for the purposes of, any such causes as aforesaid, or in, or for the purposes of, execution or diligence following on such causes and the manner in which, and the person by whom, any such summons, petition, writ, pleading or document shall be signed or authenticated;
- (c) to prescribe the manner in which, the time within which, and the conditions on which any verdict of a jury may be submitted to the review of the Inner House on any ground set forth in section six of the ^{M1}Jury Trials (Scotland) Act 1815;
- (d) to regulate the production and recovery of documents;
- [^{F1}(e) to provide in any category of causes before the Court, for the admission in lieu of parole evidence of written statements (including affidavits) and reports, on such conditions as may be prescribed.]

Changes to legislation: There are currently no known outstanding effects for the Administration of Justice (Scotland) Act 1933, Section 16. (See end of Document for details)

- (f) to provide for the payment into Court and the investment or application of sums of money awarded in any action of damages in the Court to a pupil or a minor;
- (g) to regulate the fees of solicitors practising before the Court;
- (h) to regulate the summoning, remuneration, and duties of assessors;
- (i) to make such regulations as may be necessary to carry out the provisions of this Act or of any Act conferring powers or imposing duties on the Court or relating to proceedings therein; and
- (j) to modify, amend or repeal any enactments, including enactments contained in this Act, relating to matters with respect to which an Act of Sederunt is made under this Act.

Textual Amendments

F1 s.16(e) substituted by Administration of Justice Act 1977 (c.38 SIF 37), s.29(1)

Modifications etc. (not altering text)

C1 S. 16 amended by Law Reform (Miscellaneous Provisions) (Scotland) Act 1966 (c. 19), s. 8(4), Law Reform (Miscellaneous Provisions) (Scotland) Act 1968 (c. 70), s. 15(b) and Administration of Justice (Scotland) Act 1972 (c. 59), s. 1(3)

C2 Ss. 9–11, 13–18, 24(5) repealed (S.) by Court of Session Act 1988 (c. 36, SIF 36:1), s. 52(2), Sch. 2 Pt. I (and re-enacted in part as referred to in Sch. 2 Pt. II of that Act)

Marginal Citations

M1 1815 c. 42.

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