



Court of Session Act 1868

1868 CHAPTER 100 31 and 32 Vict

VI.—INNER HOUSE PROCEDURE

60 Cases of difficulty and importance may be referred to seven judges in place of to the whole Court.

In cases of equal division of opinion not falling under the preceding section, and in cases of difficulty or importance which, according to the existing practice, may be referred by one of the divisions of the Inner House to the whole Court, it shall be competent for such division to direct that the printed papers in the cause shall be laid before three other judges to be named in the interlocutor with a view to their opinions being communicated in writing, or to direct that the cause shall be argued before themselves with the assistance of such three judges (or four judges, when that is necessary to complete the number of seven at the time of re-hearing); and the judgment to be pronounced thereon shall be in conformity with the opinions of the majority of the seven judges, and shall bear to be the judgment of the division by whom the hearing was appointed, after consulting with such other judges, and may be signed in the absence of such other judges at any ordinary sitting of the division.

Modifications etc. (not altering text)

C1 Ss. 50–101 repealed (S.) by [Court of Session Act 1988](#) (c. 36, SIF 36:1), s. 52(2), [Sch. 2 Pt.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)

Changes to legislation:

There are currently no known outstanding effects for the Court of Session Act 1868, Section 60.