
 STATUTORY INSTRUMENTS

1971 No. 126 (S. 11)

COURT OF SESSION, SCOTLAND

SHERIFF COURT, SCOTLAND

Act of Sederunt (Citation of Witnesses) 1971

Made - - - 20th January 1971

Coming into Operation 21st January 1971

The Lords of Council and Session, under and by virtue of the powers conferred upon them by section 16 and section 34 of the Administration of Justice (Scotland) Act 1933^(a) and of the Act of the Parliaments of Scotland at Edinburgh on 14th March 1540 entitled "Ratificationne of the Institutionne of the "college of iustice"^(b) and of all other powers competent to them in that behalf, do hereby enact and declare as follows:—

1. For so long only as there shall continue to be no postal delivery service provided by the Post Office, there shall, for the purpose of citing any witnesses in any Court of civil jurisdiction in Scotland where postal citation is competent, be deemed to be sufficient compliance with any statutory requirement for the citation of such witness by post if the solicitor to a party or any person authorised by him shall deliver the citation form to the witness; and a certificate recording such delivery signed by such solicitor or person authorised as aforesaid, who shall be designed in the certificate, shall be *prima facie* evidence of such citation.

2. This Act of Sederunt may be cited as the Act of Sederunt (Citation of Witnesses) 1971 and shall come into operation on 21st January 1971.

And the Lords appoint this Act of Sederunt to be inserted in the Books of Sederunt.

J. L. Clyde,

Edinburgh,
20th January 1971.

I.P.D.

 EXPLANATORY NOTE

(This Note is not part of the Act of Sederunt.)

This Act of Sederunt, which applies to every Court of civil jurisdiction in Scotland, permits delivery of a witness citation by a solicitor or a person authorised by him in place of postal citation. The Act of Sederunt will remain in force only during the present Post Office strike.

(a) 1933 c.41.

(b) Act 12 ms Edition 1540, cap.93.