
STATUTORY INSTRUMENTS

1991 No. 1397

Act of Sederunt (Messengers-at-Arms and Sheriff Officers Rules) 1991

PART VIII

REPORTS AND INVESTIGATIONS OF CONDUCT OF OFFICERS OF COURT

Reports and complaints

19.—(1) A copy of a report prepared under section 78(3) of the Act of 1987 in respect of a messenger-at-arms shall be sent to the Deputy Principal Clerk of Session who shall put the copy report before a judge nominated by the Lord President.

(2) Where a judge of the Court of Session or a sheriff principal has reason to believe that an officer of court may have been guilty of misconduct as provided in section 79(1)(c) of the Act of 1987, he shall put the allegation in writing.

(3) A report or complaint under section 79(1)(b)(i) of the Act of 1987 in respect of a messenger-at-arms shall be sent to the Deputy Principal Clerk of Session who shall put the report or complaint, as the case may be, before the judge nominated under section 79(2) of that Act.

Opportunity to officer of court to reply to allegation of misconduct

20. Where a report or complaint under section 79(1)(a) or (b), or a complaint under section 79(1)(c), of the Act of 1987 has been made, the judge nominated under section 79(2) of that Act or the sheriff principal, as the case may be, shall cause a copy of the report or complaint to be sent to the officer of court about whom an allegation of misconduct has been made together with a letter requesting him to reply within 14 days admitting, denying or giving an explanation of the alleged misconduct.