
STATUTORY INSTRUMENTS

1992 No. 272 (S.22)

SHERIFF COURT, SCOTLAND

Act of Sederunt (Judicial Factors Rules) 1992

Made - - - - 12th February 1992

Coming into force 9th March 1992

ACT OF SEDERUNT (JUDICIAL FACTORS RULES) 1992

PART I

GENERAL

1. Citation, commencement and revocation
2. Interpretation
3. Application
4. Applications to be summary
5. Incidental application
6. Intimation and service
7. Paper to be copied to the Accountant
8. Accountant to send information on any prior application
9. Procedure in fixing caution
10. Time for finding caution
11. Procedure on finding caution
12. Issue of certified copy interlocutor
13. Factor's title to act
14. Requisition of process by Accountant
15. Application to encroach on capital
16. Applications under section 2(3) of the Trusts (Scotland) Act 1961
17. Special powers
18. Outlays of Accountant, sheriff clerk etc.
19. Applications for discharge to the Accountant
20. Appeals against Accountant's determination of application for discharge
21. Applications for discharge to the sheriff

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

PART II

ADDITIONAL RULES APPLYING TO FACTORS APPOINTED UNDER SECTION 11A OF THE JUDICIAL FACTORS (SCOTLAND) ACT 1889 ON ESTATES OF DECEASED PERSONS

22. Form of application
 23. Intimation and service
 24. Interim appointment
 25. Notice calling for claims
 26. Claims
 27. Inventory of estate and report of state of debts
 28. Administration, deathbed and funeral expenses
 29. Procedure where there are creditors
 30. Notice to creditors
 31. Approval of state of funds or scheme of division with or without objections
 32. Payment following approval of scheme of division
 33. Partial division on first scheme of division
 34. Procedure where no creditors
 35. Disposal of surplus estate
 36. Discharge of factor appointed under of section 11A of the 1889 Act
- Signature

SCHEDULE —

Explanatory Note