
STATUTORY INSTRUMENTS

1999 No. 1386

**Act of Sederunt (Rules of the Court of Session
Amendment No. 5) (Miscellaneous) 1999**

Amendment of the Rules of the Court of Session

2.—(1) The Rules of the Court of Session 1994(1) shall be amended in accordance with the following sub-paragraphs.

(2) In Chapter 1—

- (a) in the heading, for “**INTERPRETATION AND FORMS**” substitute “**ETC.**”; and
- (b) after rule 1.3 add—

“Direction relating to Advocate General

1.4. The Lord President may, by direction, specify such arrangements as he considers necessary for, or in connection with, the appearance in court of the Advocate General for Scotland.”

(3) In rule 3 .6A (registers kept by the Court)—

- (a) in the heading, the word “3 .6A.” shall cease to have effect; and
- (b) for “1.5.” substitute “3.6A.”.

(4) In rule 24.2(5) (motions to amend record in terms of minute of amendment etc.), at the end add “; and if it is reasonably practicable to do so, the party shall specify the nature of such further procedure.”.

(5) In rule 37.2 (citation of jurors)—

- (a) in paragraph (1), for “14” substitute “28”; and
- (b) in paragraph (2), for “10” substitute “21”.

(6) In rule 50.2 (parties to, and service of, action under Presumption of Death (Scotland) Act 1977)—

- (a) in paragraph (1), for the words from “, subject” to the end substitute “service on that person shall be by advertisement in such newspaper or other publication as the court thinks fit of such of the facts relating to the missing person and set out in the summons as the court may specify.”;
- (b) in paragraph (2), for the words “rule 16.5 by virtue of paragraph (1) of this rule” substitute “paragraph (1)”; and
- (c) paragraph (3) and Form 50.2-A shall cease to have effect.

(7) Rule 50.3(1) (motion by pursuer where no defences lodged timeously in action under 1977 Act) shall cease to have effect.

(8) In rule 63.10(4) (intimation of certain motions relating to public trusts), for “Lord Advocate” substitute “Scottish Ministers”.

- (9) In Chapter 69 (election petitions)—
- (a) in rule 69.5(1)—
 - (i) after “to” insert
“—
 (a)”;
 and
 - (ii) at the end add
“; and
 (b) the Advocate General for Scotland”;
 - (b) in each of rules 69.9(1), 69.19(2), 69.20(2), 69.23(1) and 69.24(2), after sub-paragraph (b) insert—
 “(ba) the Advocate General for Scotland”;
 - (c) in each of rules 69.11(1) and 69.12(1)—
 - (i) in sub-paragraph (b), the word “and” shall cease to have effect; and
 - (ii) at the end of that sub-paragraph add
 “and
 (iii) the Advocate General for Scotland.”;
 - (d) in rule 69.13(2)—
 - (i) the word “and” shall cease to have effect; and
 - (ii) at the end, add
 “; and
 (c) the Advocate General for Scotland.”;
 - (e) in each of rules 69.21(3), 69.25(2) and 69.26(2), after sub-paragraph (c) insert—
 “(ca) the Advocate General for Scotland”;
 - (f) in paragraph 69.29(3), after sub-paragraph (a) insert—
 “(aa) the Advocate General for Scotland”; and
 - (g) in paragraph 69.30—
 - (i) after “to”, where it secondly occurs, insert
 “—
 (a)”;
 - (ii) after “Advocate;” insert
 “and
 (b) the Advocate General for Scotland”; and
 - (iii) after “Advocate”, where it secondly occurs, insert “and the Advocate General for Scotland”.