
STATUTORY INSTRUMENTS

1996 No. 2167

Act of Sederunt (Family Proceedings in the Sheriff Court) 1996

Citation and commencement

1.—(1) This Act of Sederunt may be cited as the Act of Sederunt (Family Proceedings in the Sheriff Court) 1996 and shall come into force on 1st November 1996.

(2) This Act of Sederunt shall be inserted in the Books of Sederunt.

Amendments to Ordinary Cause Rules 1993

2. Schedule 1 to the Sheriff Courts (Scotland) Act 1907(1) (Ordinary Cause Rules 1993) shall be amended in accordance with the Schedule to this Act of Sederunt.

Amendment to Judicial Factors Rules

3. In paragraph 3(1) of the Act of Sederunt (Judicial Factors Rules) 1992(2)—

- (a) at the end of sub-paragraph (b), omit the word “and”;
- (b) at the end of sub-paragraph (c), for the full-stop, substitute “; and”; and
- (c) after sub-paragraph (c), insert the following sub-paragraph:—

“(d) judicial factors appointed under section 11(2)(g) of the Children (Scotland) Act 1995(3), except where such appointment is sought in the crave of a family action within the meaning of rule 33.1(1) of the Ordinary Cause Rules 1993.”.

Summary applications to appoint or remove guardian under Children (Scotland) Act 1995

4. An application for the appointment or removal of a person as a guardian under section 11(2)(h) of the Children (Scotland) Act 1995 (except where such appointment or removal is sought in the crave of a family action within the meaning of rule 33.1(1) of the Ordinary Cause Rules 1993) shall be made by summary application.

Edinburgh,
15th August 1996

Hope of Craighead
Lord President, I.P.D.

(1) 1907 c. 51; Schedule 1 was substituted by S.I.1993/1956 and amended by S.I 1993/3218.
(2) S.I. 1992/272, amended by S.I. 1994/2354.
(3) 1995 c. 36.