
SCOTTISH STATUTORY INSTRUMENTS

2006 No. 437

Act of Sederunt (Summary Applications, Statutory Applications and Appeals etc. Rules) Amendment (Miscellaneous) 2006

Amendment of Summary Application Rules

2.—(1) The Act of Sederunt (Summary Applications, Statutory Applications and Appeals etc. Rules) 1999(1) shall be amended in accordance with the following paragraph.

(2) After Part XXX (Mental Health (Care and Treatment) (Scotland) Act 2003)(2) there shall be inserted the following:—

“PART XXXI

FOOTBALL BANNING ORDERS

Interpretation

3.31.1. In this Part—

“the Act” means the Police, Public Order and Criminal Justice (Scotland) Act 2006(3);

“football banning order” means an order made under section 52(4) of the Act.

Applications for variation or termination of a football banning order

3.31.2.—(1) An application under—

(a) section 57(1) of the Act for variation of a football banning order; or

(b) section 58(1) of the Act for termination of a football banning order,

shall be made by minute in the process relating to the football banning order.

(2) A minute under paragraph (1) shall be made in accordance with and regulated by Chapter 14 of the Ordinary Cause Rules.

PART XXXII

ANIMAL HEALTH AND WELFARE

Interpretation

3.32.1. In this Part—

(1) S.I.1999/929, amended by S.S.I. 2000/148 and 387, 2001/142, 2002/7, 129, 130, 146 and 563, 2003/26, 27, 98, 261, 319, 346 and 556, 2004/197, 222, 334 and 455, 2005/61, 473, 504 and 648 and 2006/410.
(2) Part XXX was inserted by S.S.I. 2005/504.
(3) 2006 asp 10.

“the 1981 Act” means the Animal Health Act 1981⁽⁴⁾; and

“the 2006 Act” means the Animal Health and Welfare (Scotland) Act 2006⁽⁵⁾.

Interim orders

3.32.2.—(1) An application for an interim order under—

(a) section 28G(10) of the 1981 Act⁽⁶⁾; or

(b) section 41(9) of the 2006 Act,

shall be made by crave in the initial writ in which a seizure order is sought.

(2) An application for an interim order once craved shall be moved by motion to that effect.

Interim orders pending appeal

3.32.3. An application for an interim order under—

(a) section 28H(2) of the 1981 Act⁽⁷⁾; or

(b) section 43(5) of the 2006 Act,

where a seizure order is suspended or inexecutable shall be made by motion.”.

(4) 1981 c. 22.

(5) 2006 asp 11.

(6) Section 28G(10) was inserted by section 10 of the 2006 Act.

(7) Section 28H(2) was inserted by section 10 of the 2006 Act.