

---

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*Status: This is the original version (as it was originally made).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