
SCOTTISH STATUTORY INSTRUMENTS

2001 No. 305

**Act of Sederunt (Rules of the Court of Session
Amendment No.4) (Miscellaneous) 2001**

Use of Gaelic

9. After rule 40.20 there is inserted—

“Use of Gaelic

40.21.—(1) This rule applies where an appeal is only against an interlocutor of an inferior court which has granted an application by the appellant or the respondent, being in either case a party litigant, to address that court, or to give oral evidence, in Gaelic.

(2) Without prejudice to paragraph (3), if the party litigant in question wishes—

(a) to address the Inner House in the appeal; or

(b) where proof has been ordered by the Inner House, to give oral evidence to or address the judge to whom the Inner House has remitted the cause,

in Gaelic, he may lodge an application to that effect with the Deputy Principal Clerk not later than 14 days before the date of the appeal or, as the case may be, of the proof and shall intimate such application to the other parties in the proceedings.

(3) Where an application to use Gaelic is made orally at the bar, the Inner House or, as the case may be, the judge may if it or he thinks fit dispense with intimation and allow the application.

(4) The Inner House or, as the case may be, the judge may refuse an application to use Gaelic where it or he considers that to grant the application would hamper the proper administration of justice.

(5) Where an application to use Gaelic is granted, an interpreter shall be provided by the court.”