

2007 No. 233

SHERIFF COURT

**Act of Sederunt (Summary Applications, Statutory Applications
and Appeals etc. Rules) Amendment (Animal Welfare
Act 2006) 2007**

Made - - - - *2nd March 2007*

Coming into force - - *26th March 2007*

The Lords of Council and Session, under and by virtue of the powers conferred by section 32 of the Sheriff Courts (Scotland) Act 1971(a), and of all other powers enabling them in that behalf, having approved draft rules submitted to them by the Sheriff Court Rules Council in accordance with section 34 of that Act, do hereby enact and declare:

Citation and commencement

1.—(1) This Act of Sederunt may be cited as the Act of Sederunt (Summary Applications, Statutory Applications and Appeals etc. Rules) Amendment (Animal Welfare Act 2006) 2007 and shall come into force on 26th March 2007.

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

Amendment of Summary Application Rules

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

(2) After rule 3.32.2(1)(b) (seizure orders: interim)(c) there shall be inserted the following:—

“or

(c) section 48(9) of the Animal Welfare Act 2006(d),”.

(a) 1971 c.58. Section 32 was amended by the Law Reform (Miscellaneous Provisions) (Scotland) Act 1985 (c.73), Schedule 2, paragraph 12, the Civil Evidence (Scotland) Act 1988 (c.32), section 2(4), the Children (Scotland) Act 1995 (c.36), Schedule 4, paragraph 18(2), the Adults with Incapacity (Scotland) Act 2000 (asp 4), schedule 5, paragraph 13 and the Debt Arrangement and Attachment (Scotland) Act 2002 (asp 17), section 43 and was extended by the Child Support Act 1991 (c.48), sections 39(2) and 49 and the Vulnerable Witnesses (Scotland) Act 2004 (asp 3), section 14(2).

(b) 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, 2006/410 and 437 and 2007/6.

(c) Rule 3.32.2 was inserted by S.S.I. 2006/437.

(d) 2006 c.45.

(3) After rule 3.32.3(b) (interim orders pending appeal)(a) there shall be inserted the following:–

“or

(c) section 49(5) of the Animal Welfare Act 2006,”.

A C HAMILTON
Lord President
I.P.D.

Edinburgh
2nd March 2007

(a) Rule 3.32.3 was inserted by S.S.I. 2006/437.

EXPLANATORY NOTE

(This note is not part of the Act of Sederunt)

This Act of Sederunt amends Part XXXII of the Summary Application Rules in the sheriff court to include applications for interim orders where a seizure order is made under the Animal Welfare Act 2006.

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