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SCOTTISH STATUTORY INSTRUMENTS

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**2021 No. 468**

**Act of Sederunt (Sheriff Appeal Court Rules) 2021**

**PART 1**

**PRELIMINARY MATTERS**

**CHAPTER 1**

**CITATION, COMMENCEMENT AND APPLICATION ETC.**

**Citation and commencement, etc.**

**1.1.**—(1) This Act of Sederunt may be cited as the Act of Sederunt (Sheriff Appeal Court Rules) 2021.

(2) It comes into force on 6th January 2022.

(3) A certified copy is to be inserted in the Books of Sederunt.

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**Commencement Information**

**I1** Para. 1.1 in force at 6.1.2022, see [para. 1.1\(2\)](#)

**Application**

**1.2.** These Rules apply to any appeal or application made under chapters 6 and 29 to 33 of these Rules.

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**Commencement Information**

**I2** Para. 1.2 in force at 6.1.2022, see [para. 1.1\(2\)](#)

**Interpretation**

**1.3.**—(1) In this Act of Sederunt—

“the 2014 Act” means the Courts Reform (Scotland) Act 2014;

“advocate” means a practising member of the Faculty of Advocates;

“Chapter 7 procedure” has the meaning given by rule 7.1;

“Chapter 8 procedure” has the meaning given by rule 8.1;

“the Clerk” means the Clerk of the Sheriff Appeal Court;

“the Court” means the Sheriff Appeal Court;

“grounds of appeal” is to be construed in accordance with rule 6.2(2)(b);

“party litigant” has the meaning given by rule 4.1;

*Status: Point in time view as at 06/01/2022.*

*Changes to legislation: There are currently no known outstanding effects for the Act of Sederunt (Sheriff Appeal Court Rules) 2021, PART 1. (See end of Document for details)*

- “procedural Appeal Sheriff” has the meaning given by paragraph 2(1) of schedule 1;
- “procedural hearing” means a hearing under rule 7.9 or rule 29.13;
- “sheriff court process” means—
- (a) the sheriff court process for the cause that is appealed to the Court; or
  - (b) where the cause is recorded in an official book of the sheriff court, a copy of the record in that book certified by the sheriff clerk;
- “sheriff’s note” means a note setting out the reasons for the decision appealed against;
- “solicitor” means a person qualified to practise as a solicitor under section 4 of the Solicitors (Scotland) Act 1980(1);
- “timetable” means a timetable in—
- (a) Form 7.2 issued under—
    - (i) rule 6.12(5)(a);
    - (ii) rule 7.2(1); or
    - (iii) rule 7.3(4)(b); or
  - (b) Form 29.5 issued under—
    - (i) rule 29.5(1);
    - (ii) rule 29.6(6)(a); or
    - (iii) rule 29.6(7)(b).
- (2) In relation to an application under section 69(1) or 71(2) of the 2014 Act—
- “appeal” includes that application;
- “appellant” includes the applicant;
- “note of appeal” includes an application in Form 29.2 or Form 29.14.

**Commencement Information**

**I3** Para. 1.3 in force at 6.1.2022, see [para. 1.1\(2\)](#)

**Computation of periods of time**

**1.4.** If any period of time specified in these Rules expires on a Saturday, Sunday or public or court holiday, it is extended to expire on the next day that the office of the Clerk is open for civil business.

**Commencement Information**

**I4** Para. 1.4 in force at 6.1.2022, see [para. 1.1\(2\)](#)

**Administrative provisions**

**1.5.** Schedule 1 makes provision about administrative arrangements for the Court, including its quorum.

**Commencement Information**

**I5** Para. 1.5 in force at 6.1.2022, see [para. 1.1\(2\)](#)

**Forms**

**1.6.—(1)** Where there is a reference in these Rules to a form, it is a reference to that form in schedule 2.

(2) Where these Rules require a form to be used, that form may be varied where the circumstances require it.

**Commencement Information**

**I6** Para. 1.6 in force at 6.1.2022, see [para. 1.1\(2\)](#)

**Status:**

Point in time view as at 06/01/2022.

**Changes to legislation:**

There are currently no known outstanding effects for the Act of Sederunt (Sheriff Appeal Court Rules) 2021, PART 1.