
SCOTTISH STATUTORY INSTRUMENTS

2021 No. 468

Act of Sederunt (Sheriff Appeal Court Rules) 2021

PART 6

INCIDENTAL PROCEDURE: SPECIAL PROCEDURES

CHAPTER 25

PROOF

Transcripts of evidence

25.6.—(1) A transcript of the record of the evidence is to be made only where the Appeal Sheriff orders it to be made.

(2) In the first instance, the solicitors for the parties are personally liable, in equal shares, for the cost of making the transcript.

(3) The transcript provided for the use of the Court must be certified as a faithful record of the evidence by—

- (a) the shorthand writer who recorded the evidence; or
- (b) where the evidence was recorded by tape recording or other mechanical means, by the person who transcribed the record.

(4) The Appeal Sheriff may alter the transcript where the Appeal Sheriff considers it necessary to do so, but only after hearing parties on the proposed alterations.

(5) Where the Appeal Sheriff alters the transcript, the Appeal Sheriff must authenticate the alterations.

(6) The transcript may only be borrowed from process on cause shown.

(7) Where a transcript is required for the purpose of an appeal but the Appeal Sheriff has not directed that it be made—

- (a) the appellant may request a transcript from the shorthand writer or the person in whose possession the recording of the evidence is;
- (b) in the first instance, the solicitor for the appellant is liable for the cost of the transcript;
- (c) the appellant must lodge the transcript in process; and
- (d) any party may obtain a copy by paying the fee of the person who made the transcript.