



Sheriff Courts (Scotland) Act 1907

1907 CHAPTER 51 7 Edw 7

PROCEDURE RULES

39 Procedure rules.

Subject to the provisions of any Act of Parliament in force after the passing of this Act, the procedure in all civil causes shall be conform to the rules of procedure set forth in the First Schedule hereto annexed. Such rules shall be construed and have effect as part of this Act.

Modifications etc. (not altering text)

C1 S. 39 excluded (1.4.1997) by S.I. 1997/291, rule 3.24, Sch. 3

40 Court of Session to regulate fees, &c.

The Court of Session may from time to time, by Act of Sederunt, make such regulations, . . . ^{F1} for regulating the fees of agents [^{F2}(other than such of the fees of agents as the Secretary of State may regulate under or by virtue of section 14A of the ^{M1}Legal Aid (Scotland) Act 1967)], officers, shorthand writers, and others, . . . ^{F3}; . . . ^{F4} Provided . . . ^{F5} that every such Act of Sederunt shall, within one week from the date thereof, be transmitted by the Lord President of the Court of Session to the [^{F6}Secretary of State], in order that it may be laid before the Houses of Parliament; and, if either of the Houses of Parliament shall within thirty-six days after it has been laid before them resolve that the whole or any part of such Act of Sederunt ought not to continue in force, the whole or such part thereof as shall be included in such resolution shall from and after the date of the passing of such resolution cease to be binding.

Textual Amendments

F1 Words repealed by Administration of Justice (Scotland) Act 1933 (c. 41), Sch.

F2 Words inserted by Divorce Jurisdiction, Court Fees and Legal Aid (Scotland) Act 1983 (c. 12, SIF 47), s. 6(1), Sch. 1 para. 7

Status: Point in time view as at 01/02/1991.

Changes to legislation: *There are outstanding changes not yet made by the legislation.gov.uk editorial team to Sheriff Courts (Scotland) Act 1907. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)*

- F3** Words repealed by [Divorce Jurisdiction, Court Fees and Legal Aid \(Scotland\) Act 1983 \(c. 12, SIF 47\)](#), s. 6(2), **Sch. 2**
- F4** Words repealed by [Sheriff Courts \(Scotland\) Act 1913 \(2 & 3 Geo. 5 c. 28\)](#), **Sch. 1** and [Administration of Justice \(Scotland\) Act 1933 \(c. 41\)](#), **Sch.**
- F5** Words repealed by [Sheriff Courts \(Scotland\) Act 1913 \(2 & 3 Geo. 5 c. 28\)](#), **Sch. 1**
- F6** Words substituted by virtue of [Secretaries of State Act 1926 \(c. 18\)](#), **s. 1(3)**

Marginal Citations

- M1** [1967 c.43 \(77:2\)](#).

41 **F7**

Textual Amendments

- F7** [S. 41](#) repealed by [Administration of Justice \(Scotland\) Act 1933 \(c. 41\)](#), **Sch.**

42— **F8**
48.

Textual Amendments

- F8** [Ss. 42–48](#) repealed by [Sheriff Courts \(Scotland\) Act 1971 \(c. 58\)](#), **Sch. 2 Pt. II**

49 **F9**

Textual Amendments

- F9** [S. 49](#) repealed by [Execution of Diligence \(Scotland\) Act 1926 \(c. 16\)](#), **s. 7**

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