



Administration of Justice (Scotland) Act 1933

1933 CHAPTER 41

PART IV

SHERIFFS AND SHERIFF COURT

34 Court of Session may regulate procedure in the Sheriff Court

- (1) The Court of Session shall have power by Act of Sederunt—
- (a) to regulate and prescribe the procedure and practice to be followed in any proceedings in the sheriff court or in execution or diligence following thereon and any matters incidental or relating to any such procedure or practice including (but without prejudice to the foregoing generality) the manner in which, the time within which, and the conditions on which any application to the sheriff court or anything required or authorised to be done in relation to any such proceedings shall or may be made or done;
 - (b) to prescribe the form of any petition, writ, pleading or other document to be used in, or for the purposes of, any such proceedings as aforesaid, or in, or for the purposes of, any execution or diligence following on such proceedings, and the manner in which, and the person by whom, any such petition, writ, pleading or document shall be signed or authenticated;
 - (c) to provide for the admission, on such conditions as may be prescribed, of affidavits in lieu of parole evidence;
 - (d) to modify, amend or repeal any enactments relating to matters with respect to which an Act of Sederunt is made under this section.
- (2) Section forty of the Sheriff Courts (Scotland) Act, 1907, shall, except in so far as it relates to the regulation of fees, cease to have effect, provided always that any regulations under the said section (other than regulations relating to fees) which shall be in force at the passing of this Act shall continue in full force and effect unless and except in so far as they may be repealed or amended by Act of Sederunt under this section.