



Administration of Justice (Scotland) Act 1933

1933 CHAPTER 41

PART I

COURT OF SESSION

4 Sessions of the Court

- (1) The ordinary sessions of the Court shall in every year be as follows:—

from the Tuesday preceding the tenth day of January to the Saturday preceding the thirty-first day of March; from the Tuesday preceding the tenth day of May to the Saturday preceding the twenty-third day of July; and from the Tuesday preceding the fifteenth day of October to the Saturday preceding the twenty-fourth day of December.
- (2) It shall be lawful for the Court, if at any time they shall be of opinion that the business before the Court so requires, by Act of Sederunt to extend any ordinary session of the Court for such period as may be deemed necessary: Provided always that it shall be competent for any division or for any Lord Ordinary to sit during vacation, notwithstanding that no Act of Sederunt under this subsection may have been made, and at such sitting to hear and determine any cause pending before such division or Lord Ordinary.
- (3) During vacation the judges of the Court, other than the Lord President and the Lord Justice Clerk, shall in rotation act as vacation judge, and it shall be competent for such vacation judge, at any time during vacation, and whether sitting in Court or in chambers, to do anything delegated to him by the Inner House, or to do anything which the Lord Ordinary officiating on the Bills was empowered by the law and practice existing immediately prior to the commencement of this Act to do either at the Courts appointed to be held by him or at any other time during vacation or recess, or to do any other thing which he may, by Act of Sederunt, be authorised to do.

Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.

- (4) Section ninety-three of the Act of 1868, in so far as it requires the Lord Ordinary officiating on the Bills to sit in Court on the fifth day after each box-day in vacation or recess, shall cease to have effect.
- (5) Without prejudice to the provisions of section eight of the Act of 1868 relating to sittings on Monday—
 - (a) the Court may continue on the ensuing Monday the taking of any proof proceeding on a Friday or Saturday and not finished on that day, and shall, unless it is impracticable, do so, where the Court is of opinion that undue expense or delay can thereby be avoided, and
 - (b) the Court shall, where it is necessary in order to avoid interference with the regular sittings of any judge of the Outer House, hold on a Monday any hearing in the Inner House at which the presence of such judge is required.
- (6) Section nine of the Court of Session Act, 1830, shall cease to have effect in so far as it requires causes to be tried by jury at sittings of the Court to be held during vacation or during the Christmas recess.