

1970 No. 134 (S.6)

COURT OF SESSION, SCOTLAND

Act of Sederunt (Rules of Court Amendment No. 2) 1970

Made 30th January 1970

Coming into Operation 31st January 1970

The Lords of Council and Session, under and by virtue of the powers conferred upon them by section 16 of the Administration of Justice (Scotland) Act 1933^(a) and of all other powers competent to them in that behalf, do hereby enact and declare as follows :—

1. The Rules of Court (b) shall be amended as follows :—

- (1) In Rule 189(a) the words “Save as hereinafter provided, all petitions initiated in the Court of Session and not invoking the *nobile officium*” shall be deleted, and there shall be substituted the words “All petitions initiated in the Court of Session and not falling within any of the classes mentioned in Rule 190”.
- (2) In Rule 189(a) (xx) there shall be added after the words “any Act of Parliament”, the words “or at common law”.
- (3) In Rule 190 the words “Save as provided in the immediately foregoing rule, all” shall be deleted, and there shall be substituted the word “All”.
- (4) In Rule 190 (vii) the words “falling under Rule 189(a) (iii)” shall be deleted, and there shall be substituted the words “mentioned in the examples contained in Rule 189(a)”.

2. This Act of Sederunt may be cited as the Act of Sederunt (Rules of Court Amendment No. 2) 1970, and shall come into operation on 31st January 1970.

And the Lords appoint this Act of Sederunt to be inserted in the Books of Sederunt.

J. L. Clyde,
I.P.D.

Edinburgh,
30th January 1970.

 EXPLANATORY NOTE

(This Note is not part of the Act of Sederunt.)

This Act of Sederunt amends the Rules of Court by providing that petitions for the custody of children at common law shall be presented to the Outer House.

^(a) 1933 c. 41.

^(b) S.I. 1965/321 (1965 I, p. 803).

SI 1970/ 134
ISBN 0-11-000134-6

