

1970 No. 455 (S.27)

COURT OF SESSION, SCOTLAND

EVIDENCE

Act of Sederunt (Computer Evidence in the Court of Session
Amendment) 1970

Made - - - 13th March 1970

Coming into Operation 14th March 1970

The Lords of Council and Session, by virtue of the powers conferred upon them by section 16 of the Administration of Justice (Scotland) Act 1933^(a) and section 15(6) of the Law Reform (Miscellaneous Provisions) (Scotland) Act 1968^(b), do hereby enact and declare as follows:—

1. The Act of Sederunt (Computer Evidence in the Court of Session) 1969^(c) shall be amended

(i) by the deletion of sub-paragraph (c) of paragraph 1 and by the substitution of a new sub-paragraph (c) of paragraph 1 as follows:—

“(c) informing the party to whom it is addressed that he may give a counter-notice in terms of paragraph 3 hereof.”

(ii) by the deletion of paragraph 5 and by the substitution of a new paragraph 5 as follows:—

“5. Any party to whom information is furnished under a counter-notice by virtue of paragraph 3 hereof may, not later than twenty-eight days before the date of the proof or trial, by notice in writing require that the party wishing to rely on the statement in the document produced by a computer should call as a witness any person of whom particulars were furnished under sub-paragraph (b) or (c) of paragraph 3 hereof.”

2. This Act of Sederunt may be cited as the Act of Sederunt (Computer Evidence in the Court of Session Amendment) 1970, and shall come into operation on 14th March 1970.

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

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

Edinburgh.
13th March 1970.

(a) 1933 c. 41.

(b) 1968 c. 70.

(c) S.I. 1969/1644 (1969 III, p. 5182).

EXPLANATORY NOTE

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

This Act of Sederunt makes further provision for the contents of the notice required to be given by a party to civil proceedings in the Court of Session who wishes to rely on a statement contained in a document produced by a computer, and for the effect of a counter-notice served on that party.

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