
 STATUTORY INSTRUMENTS

1976 No. 745 (S. 64)

COURT OF SESSION, SCOTLAND

**Act of Sederunt (Rules of Court Amendment No. 4)
 (Transmission of Records) 1976**

Made - - - 13th May 1976

Coming into Operation 7th June 1976

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 section 1 of the Public Records Act 1937(b) and of all other powers competent to them in that behalf, do hereby enact and declare:—

Citation, interpretation and commencement

1.—(1) This Act of Sederunt may be cited as the Act of Sederunt (Rules of Court Amendment No. 4) (Transmission of Records) 1976, and shall come into operation on 7th June 1976.

(2) The Interpretation Act 1889(c) shall apply for the interpretation of this Act of Sederunt as it applies for the interpretation of an Act of Parliament.

Transmission of records

2. The Rules of Court(d) are amended by inserting after Rule 32 the following Rule:—

“32A. *Transmission of Records*

(a) The Register of Acts and Decrees for each year shall, within 6 months from the end of that year, be transmitted by the Extractor of the Court of Session to the Keeper of the Records for permanent custody.

(b) Every process in which final extract has been issued and every unextracted process shall, subject to the following paragraph, be transmitted to the Keeper of the Records on the expiration of a period of 16 years from the date of the last interlocutor pronounced in the cause, or in any cause where no interlocutor has been pronounced, from the date of the calling of that cause.

(c) No process in a petition for appointment of a judicial factor, *curator bonis*, *factor loco tutoris* or *loco absentis*, or for liquidation of a company, shall be transmissible under this rule unless the factor, curator or liquidator, as the case may be, has been granted a final discharge by the Court.”

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

Edinburgh
13th May 1976.

G. C. Emslie,
I.P.D.

(a) 1933 c. 41.
(c) 1889 c. 63.

(b) 1937 c. 43.
(d) S.I. 1965/321 (1965 I, p. 803).

EXPLANATORY NOTE

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

This Act of Sederunt amends the Rules of the Court of Session by providing for certain Court records to be transmitted to the Keeper of the Records within specified periods.

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