
STATUTORY INSTRUMENTS

1992 No. 2656 (S.233)

SCOTTISH LAND COURT

The Scottish Land Court Rules 1992

Made - - - - 15th October 1992

Coming into force 1st November 1992

THE SCOTTISH LAND COURT RULES 1992

1. These rules may be cited as the Scottish Land Court...
 2. The rules of the Scottish Land Court shall be as...
 3. The rules of the Scottish Land Court 1979 are revoked....
- Signature

SCHEDULE — RULES OF THE SCOTTISH LAND COURT

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RULES OF THE SCOTTISH LAND COURT

Status: This is the original version (as it was originally made).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

Coming into force 1st November 1992

1. DEFINITIONS
2. OFFICE AND SITTINGS OF THE COURT
3. The Court shall hold sittings for the purpose of hearing...
4. Any sitting and any hearing in any Application or proceeding...
PROCEDURE
5. **Applications**
6. No Application shall be incompetent solely on the ground that...
7. Except as otherwise provided, Applications shall be signed by the...
8. Where an Applicant cannot sign his name and is not...
9. All Applications shall be addressed to the Land Court at...
10. Tenants who hold pasture, grazing or other rights in common...
11. **Service, Intimation, Etc**
12. Any notice, order, summons or proceeding in any Application shall...
13. Any period which begins to run from service or intimation...
14. Service on, or intimation to, a landlord may be effected...
15. Service on, or intimation to, any association, board, firm, company...
16. In every case where a party to an Application is...
17. In any Application where a Respondent's address is unknown to...
18. In any Application for resumption of, or otherwise relating to,...
19. If any person who is named as a Respondent or...
20. The receipt of the Post Office for a first class...
21. When intimation is made under Rule 17 or 18 copies...
22. Any person named as a Respondent in an Application or...
23. No party who appears in court or lodges objections or...
24. If there has been any insufficiency of, or irregularity in,...
25. As soon as an Application has been received by the...
26. **Process**
27. No person shall be allowed, without leave of the Court,...
28. Any solicitor acting for a party to an Application may...
29. After the issue of a Final Order in any Application...
30. CONSIGNATION
31. Any sum of money which a party desires, or has...
32. TIME LIMITS
33. Any period limited by an Order for any act or...
34. PLEADINGS
35. The Court may, at any stage of an Application, order...
36. All Answers, Replies, Objections or other pleadings shall be subscribed...
37. Where a party is represented by a solicitor or factor...
38. **Amendment, Conjunction, Etc**
39. Where the same, or similar, questions of law or fact...
40. The Court may appoint a curator ad litem to any...
41. ADMISSIONS, WITNESSES, PRODUCTION OF DOCUMENTS, ETC
42. Further, on special cause shown or of their own accord...
43. All writings, plans, books, or excerpts from books, or other...
44. All writings, plans, books, or excerpts from books, or other...
45. The Court may allow any Answers, Objections, Minutes or other...
46. When an Application or pleading or other original document has...
47. If any Applicant or Respondent fails to lodge any statement...
48. A copy of any Order summoning persons therein named to...
49. Parties may, orally in open Court or by letters or...
50. HEARING
51. When the Application is called in Court at the appointed...

52. Any person who, after being warned by the Court, (a)...
53. The Court may call and examine, or grant commission to...
54. EVIDENCE
55. Any consent or undertaking in an Application may be given...
56. All relevant objections to any deed or writing which is...
57. Notes of evidence may be taken down by the Court...
58. **Evidence on Commission**
59. The Court may, of consent of parties, or where satisfied...
60. APPOINTMENT OF REPORTERS, ASSESSORS, ETC
61. INSPECTION
62. ABANDONMENT
63. FALLING ASLEEP AND WAKENING
64. The Court may either of consent of all the parties...
65. REPONING
66. When a party, who has obtained any Order in his...
67. APPEAL AGAINST DIVISIONAL COURT ORDER
68. Such note shall be delivered, or transmitted by first class...
69. At least two weeks prior to the hearing of an...
70. Any party who has lodged an Appeal in terms of...
71. It shall not be competent to take any Appeal after...
72. It shall not be competent to take any Appeal except...
73. The Full Court may give judgement in any Appeal—
74. Every competent Appeal shall submit to review at the instance...
75. In the event of an Appellant obtaining leave to withdraw...
76. When the Order appealed against is a Final Order, the...
77. When the Order appealed against is an Order appealed by...
78. RE-HEARING
79. Such motion shall be made by a note dated and...
80. Such note shall be delivered, or transmitted by first class...
81. It shall not be competent to move for Rehearing after...
82. A motion for Rehearing maybe made upon one or more...
83. Every motion for Rehearing or for leave to move for...
84. The Court may dispose of the motion for Rehearing or...
85. Where the Court, having regard to any of the grounds...
86. Neither a motion for Rehearing nor an Order granted a...
87. In any Appeal or Rehearing the Court may vary, recall...
88. SPECIAL CASE
89. The said party shall at the same time lodge with...
90. After adjustment by parties or the Court, the draft case...
91. On the special case being authenticated in terms of Rule...
92. Neither the requisition for a special case nor any subsequent...
93. The party on whose requisition the special case has been...
94. When the opinion of the Court of Session has been...
95. EXPENSES
96. The Court may sanction the employment of counsel in Applications...
97. Accounts of expenses, charged by solicitors against clients, or awarded...
98. When any person other than a solicitor or counsel appears...
99. In any Application the Court may make an award of...
100. When two or more Applications involving similar questions and arising...
101. ORDERS OF THE COURT, ETC
102. Any one member of the Court or the Principal Clerk...
103. Any verbal, clerical or casual error or omission or informality...
104. Every Order which disposes of the subject-matter of an Application...

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- 105. All extracts or copies of Orders by the Court, required...
- 106. The Principal Clerk shall at the request of any interested...
- 107. GENERAL

Explanatory Note