SCOTTISH STATUTORY INSTRUMENTS

2002 No. 516

SHERIFF COURT

Act of Sederunt (Summary Cause Rules) (Amendment) 2002

Made - - - - 21st November 2002

Coming into force - - 1st January 2003

The Lords of Council and Session, under and by virtue of the powers conferred upon them by section 32 of the Sheriff Courts (Scotland) Act 1971(**1**) and of all other powers enabling them in that behalf, having consulted with the Sheriff Court Rules Council and taken into consideration views expressed by the Council in accordance with section 32(3) of that Act, do hereby enact and declare:

Citation and commencement

1.—(1) This Act of Sederunt may be cited as the Act of Sederunt (Summary Cause Rules) (Amendment) 2002 and shall come into force on 1st January 2003.

(2) This Act of Sederunt shall be inserted in the Books of Sederunt.

Amendment of Summary Cause Rules: taxation of accounts

2.—(1) The Act of Sederunt (Summary Cause Rules) 2002(**2**) shall be amended in accordance with the following paragraphs.

(2) In rule 23.2, for "rule 23.3" there is substituted "rules 23.3, 23.3A and 23.3B".

(3) In rule 23.3–

(a) in paragraph (1), before "paragraphs" there is inserted "rule 23.3A and"; and

(b) in paragraph (5), for the word "In" there is substituted "Except where an account of expenses is allowed to be taxed under rule 23.3A, in".

(4) After rule 23.3, there is inserted–

"**Taxation**

23.3A.—(1) Either–

(**1**) 1971.c.58; section 32 was amended by the Law Reform (Miscellaneous Provisions) (Scotland) Act 1985 (c. 73), Schedule 2, paragraph 12, the Civil Evidence (Scotland) Act 1988 (c. 32), section 2(4), the Children (Scotland) Act 1995 (c. 36), Schedule 4, paragraph 18(2) and the Adults with Incapacity (Scotland) Act 2000 (asp 4), Schedule 5, paragraph 13, and was extended by sections 39(2) and 49 of the Child Support Act 1991 (c. 48).

(**2**) S.S.I. 2002/132.