SCOTTISH STATUTORY INSTRUMENTS

2000 No. 148

SHERIFF COURT

Act of Sederunt (Summary Applications, Statutory Applications and Appeals etc. Rules) Amendment 2000

Made - - - -	*17th May 2000*
Coming into force - -	*3rd July 2000*

The Lords of Council and Session, under and by virtue of the powers conferred on them by section 32 of the Sheriff Courts (Scotland) Act 1971(**1**), sections 57(6) and 66 of the Race Relations Act 1976(**2**) and section 8(1) of the Access to Health Records Act 1990(**3**) and of all other powers enabling them in that behalf, having approved draft rules submitted to them by the Sheriff Court Rules Council in accordance with section 34 of the Sheriff Courts (Scotland) Act 1971, do hereby enact and declare:

Citation, commencement and extent

1.—(1) This Act of Sederunt may be cited as the Act of Sederunt (Summary Applications, Statutory Applications and Appeals etc. Rules) (Amendment) 2000 and shall come into force on 3rd July 2000.

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

(3) This Act of Sederunt extends to Scotland only.

Amendment of the Summary Applications, Statutory Applications and Appeals etc. Rules 1999

2.—(1) The Act of Sederunt (Summary Applications, Statutory Applications and Appeals etc. Rules) 1999(**4**) shall be amended in accordance with the following paragraph.

(2) In Chapter 3 (rules on applications under specific statutes), after Part XIII (Sex Discrimination Act 1975), insert the following:–

(**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) and the Children (Scotland) Act 1995 (c. 36), Schedule 4, paragraph 18(2).
(**2**) 1976 c. 74.
(**3**) 1990 c. 23.
(**4**) S.I. 1999/929.

"PART XIV

ACCESS TO HEALTH RECORDS ACT 1990

Interpretation and application

3.14.1.—(1) In this Part–

"the Act" means the Access to Health Records Act 1990; and

"the Reg" means the Access to Health Records (Steps to Secure Compliance and Complaints Procedures) (Scotland) Regulations 1991(**5**).

(2) This Part applies to applications under section 8(1) of the Act (applications to the court for order to comply with requirement of the Act).

Accompanying documents

3.14.2. An application shall specify those steps prescribed in the Regulations which have been taken by the person concerned to secure compliance with any requirement of the Act, and when lodged in process shall be accompanied by–

(a) a copy of the application under section 3 of the Act (applications for access to a health record)(**6**);

(b) a copy of the complaint under regulation 3 or 4 of the Regulations (complaint about non-compliance with the Act); and

(c) if applicable, a copy of the report under regulation 6 of the Regulations (report in response to complaint).

Time of making application

3.14.3. The application shall be made where the applicant–

(a) has received a report in accordance with regulation 6 of the Regulations, within one year of the date of the report;

(b) has not received such a report, within 18 months of the date of the complaint.

PART XV

RACE RELATIONS ACT 1976

Interpretation

3.15.1. In this Part–

"the Act" means the Race Relations Act 1976; and

"the Commission" means the Commission for Racial Equality established under section 43 of the Act.

Application

3.15.2. This Part shall apply to the following proceedings under the Act:–

(**5**) S.I. 1991/2295.
(**6**) Section 3 was amended by the Children (Scotland) Act 1995 (c. 36), Schedule 4, paragraph 50.