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SCOTTISH STATUTORY INSTRUMENTS

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**2013 No. 317**

**COURT OF SESSION**

**Act of Sederunt (Rules of the Court of Session  
Amendment No. 7) (Miscellaneous) 2013**

*Made* - - - - - *6th November 2013*  
*Laid before the Scottish*  
*Parliament* - - - - - *8th November 2013*  
*Coming into force* - - - - - *2nd December 2013*

The Lords of Council and Session, under and by virtue of the powers conferred by section 5 of the Court of Session Act 1988(1), section 446 of the Proceeds of Crime Act 2002(2), sections 6(9), 6(10) and 11 of the Justice and Security Act 2013(3) and of all other powers enabling them in that behalf, do hereby enact and declare:

**Citation, commencement etc.**

1.—(1) This Act of Sederunt may be cited as the Act of Sederunt (Rules of the Court of Session Amendment No. 7) (Miscellaneous) 2013.

(2) It comes into force on 2nd December 2013.

(3) A certified copy of this Act of Sederunt is to be inserted in the Books of Sederunt.

(4) The Rules of the Court of Session(4) are amended in accordance with the following paragraphs.

**Applications to amend the name of a party in more than one cause**

2. In rule 24.6(4)(5), for “(3)” substitute “(5)”.

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(1) 1988 c.36; section 5 was amended by the Civil Evidence (Scotland) Act 1988 (c.32), section 2(3); the Children (Scotland) Act 1995 (c.36), Schedule 4, paragraph 45; the Vulnerable Witnesses (Scotland) Act 2004 (asp 3), section 14(1); the Judiciary and Courts (Scotland) Act 2008 (asp 6), section 46(3) and the Legal Services (Scotland) Act 2010 (asp 16), section 126(a).

(2) 2002 c.29.

(3) 2013 c.18.

(4) 1994 S.I. 1994/1443, last amended by S.S.I. 2013/294.

(5) Rule 24.6 was inserted by S.S.I. 2013/162.

### **Civil Recovery Investigations**

3. In rule 76.37(3) (disclosure orders)(6), after “Proceeds of Crime Act 2002” insert “(External Investigations) Order 2013”.

### **Justice and Security Act 2013**

4. In rule 104.5(1) (hearing on applications)(7), for “(4)” substitute “(6)”.

Edinburgh  
6th November 2013

*BRIAN GILL*  
Lord President  
I.P.D.

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(6) Rule 76.37, last amended by [S.S.I. 2013/294](#).  
(7) Rule 104.5 was inserted by [S.S.I. 2013/238](#).

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## EXPLANATORY NOTE

*(This note is not part of the Act of Sederunt)*

This Act of Sederunt amends the Rules of the Court of Session. Paragraph 2 amends rule 24.6(4) (applications to amend the name of a party in more than one cause). Paragraph 3 amends rule 76.37(3) (civil recovery investigations: disclosure orders). Paragraph 4 amends rule 104.5(1) (Justice and Security Act 2013: hearing on applications).