

**ACT OF SEDERUNT (SHERIFF COURT ORDINARY CAUSE RULES) 1993
No.1956 (S.223)**

SCHEDULE 1

Initiation and progress of causes

CHAPTER 12 INTERLOCUTORS

[12.1.](#) Signature of interlocutors by sheriff clerk

[12.2.](#) Further provisions in relation to interlocutors

Signature of interlocutors by sheriff clerk

12.1. In accordance with any directions given by the sheriff principal, any interlocutor other than a final interlocutor may be written and signed by the sheriff clerk and-

- (a) any interlocutor written and signed by a sheriff clerk shall be treated for all purposes as if it had been written and signed by the sheriff; and
- (b) any extract of such an interlocutor shall not be invalid by reason only of its being written and signed by a sheriff clerk.

Further provisions in relation to interlocutors

12.2. (1) The sheriff may sign an interlocutor when furth of his sheriffdom.

(2) At any time before extract, the sheriff may correct any clerical or incidental error in an interlocutor or note attached to it.

(3) In any cause, other than a family action within the meaning of rule 33.1(1) or a civil partnership action within the meaning of rule 33A.1(1) which has proceeded as undefended, where at any stage evidence has been led, the sheriff shall-

- (a) in the interlocutor make findings in fact and law; and
- (b) append to that interlocutor a note setting out the reasons for his decision.

(4) In any other interlocutor, the sheriff may, and shall when requested by a party, append a note setting out the reasons for his decision.

(5) Where the sheriff reserves his decision and gives his decision at a date later than the date of the hearing outwith the presence of the parties-

- (a) the date of the interlocutor of the sheriff shall be the date on which it is received by the sheriff clerk; and
- (b) the sheriff clerk shall-

- (i) enter that date in the interlocutor; and
- (ii) forthwith send a copy of the interlocutor and any note attached to it free of charge to each party.