

CHAPTER 10
SITTINGS OF THE COURT

Session and terms of court

10.1.- (1) The court shall be in session throughout the year except during such periods as the Lord President shall specify by direction as periods when the court shall be in vacation.

(2) There shall be three terms during session when the court shall sit to conduct the ordinary business of the court, namely:-

- (a) a winter term,
- (b) a spring term, and
- (c) a summer term,

the dates of which shall be such as the Lord President shall direct

(3) The Lord President may, if at any time he considers the business of the court so requires, direct that a term of the court shall be extended for such period as may be necessary.

Sederunt days

10.2.-(1) A day on which the court sits during session under rule 10.3(1) or 10.4 shall be a sederunt day.

(2) The Lord President may, by direction, provide that such days in vacation as he may specify in the direction shall be sederunt days.

Sittings during term

10.3.-(1) Subject to the following paragraphs of this rule, the court shall sit on Tuesday, Wednesday, Thursday and Friday of each week during a term at such times as the Lord President may direct.

(2) The court shall not sit during a term-

- (a) subject to paragraph (3), on such public holidays, or
- (b) on such other days in exceptional circumstances,

as the Lord President may direct.

(3) A Division of the Inner House or the Lord Ordinary may sit-

- (a) on a Monday where it is considered necessary to hear and determine a cause; or
- (b) on a Saturday, Sunday or public holiday to hear and determine a matter of urgency.

Sittings during session outwith terms

10.4.-(1) A Division of the Inner House or the Lord Ordinary may sit on any day when the court is in session after a term has ended to conclude a hearing which has commenced during a term.

(2) A Division of the Inner House may sit at any time when the court is in session outwith a term to hear and determine urgent Inner House business.

(3) At any time during session outwith a term, the Lord Ordinary shall-

- (a) have the powers of the vacation judge in rule 11.1; and
- (b) have such other powers to hear and determine a cause in the Outer House as the Lord President may from time to time direct.

Sittings during vacation

10.5.-(1) During vacation, one or more of the judges of the court, other than the Lord President and the Lord Justice-Clerk, shall act from time to time as a vacation judge sitting in court or in chambers.

(2) The vacation judge shall deal with the business of the vacation judge under rule 11.1(1) on such days and at such times as may be necessary or convenient, subject to any direction of the Lord President.

(3) A Division of the Inner House or the Lord Ordinary may sit during vacation, whether or not on a sederunt day, to conclude a hearing commenced when the court was in session.

(4) A Division of the Inner House may sit during vacation, whether or not on a sederunt day, to hear and determine urgent Inner House business which cannot competently be heard and determined by the vacation judge.

Lord Ordinary in Exchequer Causes

10.6. The Lord Ordinary in Exchequer Causes may hear and determine an Exchequer cause when the court is in session or in vacation.

Hearing of commercial actions

10.7. A commercial judge nominated under rule 47.2 (proceedings before commercial judge) may hear and determine a commercial action as defined by rule 47.1(2) when the court is in session or in vacation.