

# ACT OF SEDERUNT (SMALL CLAIM RULES) 2002 NO. 133

## CHAPTER 13B INTERVENTIONS BY THE SCOTTISH COMMISSION FOR HUMAN RIGHTS

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### Interpretation

13B.1. In this Chapter—

“the Act of 2006” means the Scottish Commission for Human Rights Act 2006; and

“the SCHR” means the Scottish Commission for Human Rights.

### Applications to intervene

13B.2.—(1) An application for leave to intervene shall be by way of minute of intervention in Form 14B and the SCHR shall—

- (a) send a copy of it to all the parties; and
- (b) lodge it in process, certifying that subparagraph (a) has been complied with.

(2) In granting leave the sheriff may impose such terms and conditions as he considers desirable in the interests of justice, including, subject to section 36B of the Sheriff Courts (Scotland) Act 1971, making provision in respect of any additional expenses incurred by the parties as a result of the intervention.

(3) The sheriff clerk shall give written intimation of a grant or refusal of leave to the SCHR and all the parties.

(4) Any decision of the sheriff in proceedings under this Chapter shall be final and not subject to appeal.

## **Invitations to intervene**

13B.3.—(1) An invitation to intervene under section 14(2)(b) of the Act of 2006 shall be in Form 14C and the sheriff clerk shall send a copy of it to the SCHR and all the parties.

(2) An invitation under paragraph (1) shall be accompanied by—

- (a) a copy of the pleadings in the proceedings; and
- (b) such other documents relating to those proceedings as the sheriff thinks relevant.

(3) In issuing an invitation under section 14(2)(b) of the Act of 2006, the sheriff may impose such terms and conditions as he considers desirable in the interests of justice, including, subject to section 36B of the Sheriff Courts (Scotland) Act 1971, making provision in respect of any additional expenses incurred by the parties as a result of the intervention.

## **Form of intervention**

13B.4.—(1) An intervention shall be by way of a written submission which (including any appendices) shall not exceed 5000 words.

(2) The SCHR shall lodge the submission and send a copy of it to all the parties by such time as the sheriff may direct.

(3) The sheriff may in exceptional circumstances—

- (a) allow a longer written submission to be made;
- (b) direct that an oral submission is to be made.

(4) Any diet in pursuance of paragraph (3)(b) shall be fixed by the sheriff clerk who shall give written intimation of the diet to the SCHR and all the parties.

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