
SCOTTISH STATUTORY INSTRUMENTS

2010 No. 324

**Act of Sederunt (Sheriff Court Rules) (Enforcement
of Securities over Heritable Property) 2010**

**Disposal of applications under Part II of the Conveyancing and Feudal Reforms (Scotland)
Act 1970 for non-residential purposes**

3.—(1) Subparagraph (2) applies to an application or counter-application under Part II of the Conveyancing and Feudal Reform (Scotland) Act 1970⁽¹⁾, except applications under sections 24(1B) or 24D(1) of that Act.

(2) An application or counter-application to which this rule applies must be brought—

- (a) as an ordinary cause, where any other remedy is craved; or
- (b) as a summary application, where no other remedy is craved.

(3) For rule 34.10 (applications under Part II of the Conveyancing and Feudal Reform (Scotland) Act 1970) of the Ordinary Cause Rules, substitute—

**“Disposal of applications under Part II of the Conveyancing and Feudal Reform
(Scotland) Act 1970 for non-residential purposes**

34.10.—(1) This rule applies to an application or counter-application made by virtue of paragraph 3(2)(a) of the Act of Sederunt (Sheriff Court Rules) (Enforcement of Securities over Heritable Property) 2010⁽²⁾.

(2) An interlocutor of the sheriff disposing of an application or counter-application is final and not subject to appeal except as to a question of title or as to any other remedy granted.”

(4) This paragraph does not affect an application or counter-application made before 30th September 2010.

(1) 1970 c.35.
(2) S.S.I. 2010/324.