

CHAPTER 9
COURT RECORDS

Transmission of records

9.1.- (1) The Register of Acts and Decrees for each year shall be transmitted by the Extractor to the Keeper of the Records for permanent custody within 6 months after the end of that year.

(2) Subject to paragraph (3), a process, other than a teind process, shall be transmitted to the Keeper of the Records after the expiry of 5 years after-

- (a) the date of the last interlocutor pronounced in the cause; or
- (b) where no interlocutor has been pronounced, the date of the calling of the summons or the presentation of the petition, as the case may be.

(3) No process of a petition for-

- (a) appointment of a judicial factor, or
- (b) the winding up of a company,

shall be transmitted under this rule unless the factor or liquidator, as the case may be, has been granted a final discharge by the court.

Retransmission of processes to Office of Court

9.2.-(1) Where a person, having an interest in a process in the custody of the Keeper of the Records (other than a finally extracted process), requires that process to be transmitted back to the Office of Court-

- (a) it shall be transmitted back on payment of such fee as may be due to the Keeper of the Records; and
- (b) an entry shall be made in a book to be kept by the Keeper of the Records recording the retransmission, which shall be signed by the clerk of session who receives the process.

(2) No document in a process, may be borrowed by any person while the process remains in the custody of the Keeper of the Records except under the provisions of paragraph (1).

(3) A process transmitted back to the Office of Court under paragraph (1) shall be returned by the Office of Court to the Keeper of the Records as soon as possible after it has ceased to be required.