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SCHEDULE

Rule 2(5)

FORM 7 Form of citation for summary application for commitment to prison or disqualification from driving

Rule 5A

CITATION FOR SUMMARY APPLICATION

SHERIFFDOM OF (insert name of sheriffdom)

AT (insert place of sheriff court)

[A.B.], (insert designation and address), Applicant

against

[C.D.], (insert designation and address), Respondent

Court ref. No. (insert ref no.)

(Insert place and date). You [C.D.] are hereby served with this copy writ and warrant, and are required to answer it.

YOU MUST APPEAR IN PERSON AT THE HEARING.

IF YOU ARE UNCERTAIN AS TO WHAT FURTHER ACTION TO TAKE you should consult a solicitor. You may be eligible for legal aid depending on your income and you can get information about legal aid from a solicitor. You may also obtain advice from any Citizens Advice Bureau or other advice agency.

IF YOU HOLD A LICENCE TO DRIVE A MOTOR VEHICLE YOU MUST BRING IT (INCLUDING ANY COUNTERPART TO THAT LICENCE) WITH YOU TO THE HEARING.

YOU SHOULD ALSO BRING WITH YOU DOCUMENTARY EVIDENCE OF YOUR FINANCIAL CIRCUMSTANCES AND, TO ASSIST THE COURT TO INQUIRE INTO YOUR MEANS, A COMPLETED FORM 7A ATTACHED.

IF YOU DO NOT APPEAR IN PERSON IN ANSWER TO THIS DOCUMENT THE COURT MAY ISSUE A WARRANT FOR YOUR ARREST.

Signed (signature of sheriff officer)

or [X.Y.] (add designation and business address)

Solicitor for the Applicant

FORM 7A Form of notice to be served on respondent to assist court to inquire into respondent's financial position

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Form 7

(to be completed by respondent)

Respondent's financial position

My	Weekly	Fortnightly	Monthly	My	weekly	fortnightly	monthly
Outgoings are:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	income is:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rent/mortgage	£			Wages/Pensions	£		
Heating	£			Social Security	£		
Food	£			Other	£		
Loans (HP etc)	£						
Other	£						
Total	£			Total	£		

Dependants: Children – how many Dependant relatives – how many

Here list all capital (if any) e.g. value of house; amounts in bank or building society accounts; shares or other investments:

Here list any outstanding debts:

FORM 8 Form of Warrant to Arrest

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Rule 5B

(Insert place and date)

The Sheriff,* in respect that the respondent has failed to appear at the hearing after being duly cited,

Grants Warrant to Sheriff Officers to apprehend the said **(insert name of respondent)** and to bring him before the court; Grants Warrant to Governors of HM Prisons to receive and detain the said **(insert name of respondent)** pending his appearance before the court and, in the event that such a Governor is unable to so receive and detain the said **(insert name of respondent)** because of the lateness of the hour, requests police officers to assist in the execution of this Warrant by receiving and detaining the said **(insert name of respondent)** overnight until such hour as the said **(insert name of respondent)** can be presented at a prison or brought to court; requests all competent courts in England and elsewhere to give their aid and concurrence in carrying into effect this Warrant; appoints execution to proceed upon a certified copy of this interlocutor.

(Signed)

Sheriff

* Delete as appropriate

FORM 9Child Support Act 1991

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Rule 5D

Form of Warrant of Commitment to Prison

(Insert place and date)

The Sheriff, being satisfied—

- (i) that the Secretary of State has sought to recover an amount of child support under section 38 of the Child Support Act 1991;
- (ii) that such amount, or a portion of it, remains unpaid; and
- (iii) having inquired in the respondent's presence as to his means, that there has been wilful refusal or culpable neglect on his part,

Grants Warrant to all Sheriff Officers to apprehend and convey to the prison of **(insert place of prison)** the said **(insert name of respondent)**, and to the Governor thereof to receive and detain him for the period of **(insert period of up to six weeks)** from the date of his imprisonment or until he be sooner discharged in due course of law*.

This warrant is made in respect of—

Amount outstanding under section 38 of the Child Support Act 1991: **(insert)**

Amount in respect of the expenses of commitment: **(insert)**

Aggregate amount: **(insert)**

(Signed)

Sheriff

*Note: The period of imprisonment may be reduced as provided by regulations made under section 40A(6) of the Child Support Act 1991 where there is part payment of the amount in respect of which the warrant was issued.

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FORM 10 Child Support Act 1991, Sections 39A and 40B

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Rule 5E

Form of Warrant of Commitment to Prison

(Insert place and date)

The Sheriff, being satisfied—

- (i) that the Secretary of State has sought to recover an amount of child support under section 38 of the Child Support Act 1991;
- (ii) that such amount, or a portion of it, remains unpaid; and
- (iii) having inquired in the respondent's presence as to his means, that there has been wilful refusal or culpable neglect on his part,

Grants Warrant to all Sheriff Officers to apprehend and convey to the prison of **(insert place of prison)** the said **(insert name of respondent)**, and to the Governor thereof to receive and detain him for the period of **(insert period of up to six weeks)** from the date of his imprisonment or until he be sooner discharged in due course of law*.

This warrant is made in respect of—

Amount outstanding under section 38 of the Child Support Act 1991: **(insert)**

Amount in respect of the expenses of commitment: **(insert)**

Aggregate amount: **(insert)**

(Signed)

Sheriff

*Note: The period of imprisonment may be reduced as provided by regulations made under section 40A(6) of the Child Support Act 1991 where there is part payment of the amount in respect of which the warrant was issued.