

## SCHEDULE 1

### SUMMARY CAUSE RULES 2002

#### CHAPTER 13

##### *Alteration of summons etc.*

##### **Alteration of summons etc.**

**13.1.**—(1) The sheriff may, on the incidental application of a party, allow amendment of the summons, form of response, counterclaim or answers to a counterclaim and adjust the note of disputed issues at any time before final judgment is pronounced on the merits.

(2) In an undefended action, the sheriff may order the amended summons to be re-served on the defender on such period of notice as he thinks fit.

(3) Paragraph (1) includes amendment for the following purposes:—

- (a) increasing or reducing the sum claimed;
- (b) seeking a different remedy from that originally sought;
- (c) correcting or supplementing the designation of a party;
- (d) enabling a party to sue or be sued in a representative capacity; and
- (e) sisting a party in substitution for, or in addition to, the original party.

(4) Where an amendment sists an additional or substitute defender to the action the sheriff shall order such service and regulate further procedure as he thinks fit.