
SCOTTISH STATUTORY INSTRUMENTS

2009 No. 107

**Act of Sederunt (Sheriff Court Rules
Amendment) (Diligence) 2009**

Amendment of the Ordinary Cause Rules

3.—(1) The Ordinary Cause Rules⁽¹⁾ are amended in accordance with subparagraphs (2) to (5).

(2) In rule 6.A3 (effect of authority for inhibition on the dependence)⁽²⁾, for paragraph (2) substitute—

“(2) A notice of a certified copy of an interlocutor granting authority for inhibition under rule 6.A2 may be registered in the Register of Inhibitions and Adjudications; and such registration is to have the same effect as registration of a notice of inhibition under section 155(2) of the Titles to Land Consolidation (Scotland) Act 1868⁽³⁾.”.

(3) Rule 6.A6 (form of schedule of inhibition on the dependence)⁽⁴⁾ is revoked.

(4) After rule 6.A7 (service of inhibition on the dependence where address of the defender not known)⁽⁵⁾ insert—

“Form of schedule of arrestment on the dependence

6.A8.—(1) An arrestment on the dependence shall be served by serving the schedule of arrestment on the arrestee in Form G4B.

(2) A certificate of execution shall be lodged with the sheriff clerk in Form G4C.”.

(5) In Appendix 1, for Forms G4B and G4C⁽⁶⁾ substitute the forms set out in Schedule 2 to this Act of Sederunt.

(1) The Ordinary Cause Rules are contained in the first Schedule to the Sheriff Courts (Scotland) Act 1907 (c. 51), which was substituted by S.I.1993/1956 and amended by S.I. 1996/2167 and 2445, S.S.I. 2000/239 and 408, 2001/8 and 144, 2002/7, 128 and 560, 2003/25 and 26, 2004/197 and 350, 2005/20, 189, 638 and 648 and 2006/207, 293, 410 and 509, 2007/6,339, 440 and 463 and 2008/121, 223 and 365.

(2) Rule 6.A3 was inserted by S.S.I. 2008/121.

(3) 1868 c. 101. Section 155(2) was substituted by the Bankruptcy and Diligence etc. (Scotland) Act 2007, section 149.

(4) Rule 6.A6 was inserted by S.S.I. 2008/121.

(5) Rule 6.A7 was inserted by S.S.I. 2008/121.

(6) Forms G4B and G4C were inserted by S.S.I. 2008/121.