
SCOTTISH STATUTORY INSTRUMENTS

2009 No. 107

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

Amendment of the Summary Cause Rules

5.—(1) The Summary 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) Rule 6.A6 (form of schedule of inhibition on the dependence)(3) is revoked.

(4) After rule 6.A7 (service of inhibition on the dependence where address of the defender not known)(4) 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 15b.

(2) A certificate of execution shall be lodged with the sheriff clerk in Form 15c.”.

(5) In Appendix 1, for Forms 15b and 15c(5) substitute the forms set out in Schedule 4 to this Act of Sederunt.

(1) The Summary Cause Rules are contained in Schedule 1 to the Act of Sederunt (Summary Cause Rules) 2002 (S.S.I. 2002/132), which was amended by S.S.I. 2002/516, 2003/216, 2004/197, 2005/648, 2006/509, 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) Rule 6.A6 was inserted by S.S.I. 2008/121.

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

(5) Forms 15b and 15c were inserted by S.S.I. 2008/121.