
SCOTTISH STATUTORY INSTRUMENTS

2009 No. 107

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

Amendment of Small Claim Rules

6.—(1) The Small Claim Rules⁽¹⁾ are amended in accordance with subparagraphs (2) to (5).

(2) In rule 7.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 7.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 7.A6 (form of schedule of inhibition on the dependence)⁽³⁾ is revoked.

(4) After rule 7.A7 (service of inhibition on the dependence where address of defender not known)⁽⁴⁾ insert—

“Form of schedule of arrestment on the dependence

7.A8.—(1) An arrestment on the dependence shall be served by serving the schedule of arrestment on the arrestee in Form 9b.

(2) A certificate of execution shall be lodged with the sheriff clerk in Form 9c.”

(5) In Appendix 1 to Schedule 1, for Forms 9b and 9c⁽⁵⁾ substitute the forms set out in Schedule 5 to this Act of Sederunt.

(1) The Small Claim Rules are contained in Schedule 1 to the Act of Sederunt (Small Claim Rules) 2002 (S.S.I. 2002/133), which was amended by S.S.I. 2003/26, 2004/197, 2005/648, 2006/509, 2007/6, 339, 440 and 463 and 2008/121 and 223 and 365.
(2) Rule 6.A3 was inserted by S.S.I. 2008/121.
(3) Rule 7.A6 was inserted by S.S.I. 2008/121.
(4) Rule 7.A7 was inserted by S.S.I. 2008/121.
(5) Forms 9b and 9c were inserted by S.S.I. 2008/121.