

---

SCOTTISH STATUTORY INSTRUMENTS

---

**2009 No. 294**

**Act of Sederunt (Sheriff Court Rules)  
(Miscellaneous Amendments) 2009**

**Time to pay directions and time orders**

- 4.—(1) The Summary Cause Rules are amended in accordance with the following subparagraphs.  
(2) After rule 4.2 (statement of claim) insert—

**“Actions relating to regulated agreements**

**4.2A.** In an action which relates to a regulated agreement within the meaning given by section 189(1) of the Consumer Credit Act 1974—

- (a) the statement of claim shall include an averment that such an agreement exists and details of the agreement; and
  - (b) a copy of the regulated agreement shall be attached to the summons.”.
- (3) In rule 7.2 (application for time to pay direction or time order)—
- (a) after paragraph (1) insert—
    - “(1A) The sheriff clerk must on receipt forthwith intimate to the pursuer a copy of any response lodged under paragraph (1).”;
  - (b) in paragraph (2), for “two days” substitute “9 days”; and
  - (c) for paragraph (4) substitute—
    - “(4) If the pursuer wishes to oppose the application for a time to pay direction or time order made in accordance with paragraph (1)(a) he must before the time the sheriff clerk’s office closes for business on the day occurring 9 days before the calling date—
      - (a) lodge a minute in Form 19; and
      - (b) send a copy of that minute to the defender.”.
- (4) For Form 1a (summons) in Appendix 1 substitute the form set out in Schedule 3 to this Act of Sederunt.
- (5) For Form 19 (form of minute) in Appendix 1 substitute the form set out in Schedule 4 to this Act of Sederunt.