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SCHEDULE

Paragraph 3(d)

Form 41.5

Rule 41.5(1)

Form of note of objection to competency of appeal under statute

(Cause Reference number)

IN THE COURT OF SESSION

NOTE OF OBJECTION TO COMPETENCY OF APPEAL

[A.B.]

Appellant

against

[C.D.]

Respondent

To the Deputy Principal Clerk of Session

(Name of appellant), appellant has marked an appeal under *(insert statutory provision under which the appeal is brought)* in the above cause. *(Name of objecting party)*, respondent, objects to the competency of the appeal on the following grounds:

(set out the grounds in brief numbered paragraphs)

Date *(insert date)*

(Signed)

Solicitor for Respondent

(Address)

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Form 41.12

Rule 41.12(1)

Form of case in appeal under statute to the Court of Session

CASE

for

OPINION OF THE COURT OF SESSION

under

(state provision in enactment under which appeal is made)

[A.B.] *(designation and address)*

Appellant

against

[C.D.] *(designation and address)*

Respondent

I [*or We*] found the following facts admitted or proved:—

(Set out in numbered paragraphs the facts admitted or proved)

NOTE

(Set out the basis on which the tribunal found the facts admitted or proved and the reasoning of the decision appealed against)

The question(s) of law for the opinion of the court is [*or are*]:—

(Set out the questions in numbered paragraphs)

This case stated by [*me*]

(Signed)

(Name)

APPENDIX

(Here append any documents referred to in the case necessary for the understanding of the case)

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Form 41.17

Rule 41.17(2)

Form of certification by Deputy Principal Clerk on retransmitting abandoned appeal

(Date). Retransmitted in respect of the abandonment of the appeal.

(Signed)

Deputy Principal Clerk of Session

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Form 41.25

Rule 41.25(1)

Form of appeal in appeal under statute to the Court of Session

APPEAL

to

THE COURT OF SESSION

under

(state provision in enactment under which appeal is made)

[A.B.] *(designation and address)*

Appellant

against

A decision *[or as the case may be]* of *(name of tribunal)* dated *(date)* communicated to the appellant on *(date)*

The decision *[or as the case may be]* of *(name of tribunal)* dated *(date)* is in the following terms *[or where a lengthy or reasoned decision is appealed against, is appended to this appeal]*.

The appellant appeals against the forgoing decision *[or as the case may be]* on the following grounds.

GROUND(S) OF APPEAL

(State the grounds of appeal in numbered paragraphs)

The question(s) of law for the opinion of the court is [or are]:—

(Set out the questions in numbered paragraphs)

(Signed)

Appellant

[or Solicitor [or Agent] for appellant]

APPENDIX

(Here set out lengthy or reasoned decision appealed against)

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Form 41.29

Rule 41.18(1)(a)
Rule 41.29(1)(a)

Form of timetable in appeal under statute

(Cause Reference number)

IN THE COURT OF SESSION

TIMETABLE IN APPEAL

[A.B.]

Appellant

against

[C.D.]

Respondent

This timetable has effect as if it were an interlocutor of the court signed by the procedural judge. [Where applicable: This is a revised timetable issued under rule 41.30(4)(c) [or rule 41.30(5)(b) or rule 41.19(4)(c) or rule 41.19(5)(b)] which replaces the timetable issued on (date).]

1. The diet for a procedural hearing in relation to this appeal, which will follow on from the procedural steps listed in paragraphs 2 to 4 below, will take place on (date and time).
2. Any productions or appendices to the appeal shall be lodged not later than (date).
3. Not later than (date) parties shall lodge notes of argument in the appeal.
4. Not later than (date) parties shall lodge estimates of the length of any hearing on the Summar Roll or in the Single Bills which is required to dispose of the appeal.

(Date)

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Form 41.55

Rule 41.55

Form of reference on a preliminary point under an ACAS Scheme

UNTO THE RIGHT HONOURABLE
THE LORDS OF COUNCIL AND SESSION
REFERENCE ON A PRELIMINARY POINT

Under

(specify the ACAS Scheme under which the reference is being made)

by

[A.B.] *(address)*

Arbitrator in the case of

[C.D.] *(address)* against [E.F.] *(address)*

[or by

[C.D.] *(address)* and [E.F.] *(address)* parties in a case in which [A.B.] *(address)* is the arbitrator]

(Here state in numbered paragraphs the facts and circumstances out of which the reference arises and set out the question for answer by the court)