SCHEDULE 1

Paragraph 3(5)

Rule 58.3(3)

Form of Petition for Judicial Review

UNTO THE RIGHT HONOURABLE

THE LORDS OF COUNCIL AND SESSION

PETITION

of

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

for

Judicial review of (*state briefly matter sought to be reviewed*) by [C.D.]

HUMBLY SHEWETH:—

1. That the petitioner is as designed in the instance. The respondent[s] is [*or* are] as designed in Part 1 of the Schedule for Service. [The persons specified in Part 2 of the Schedule for Service may have an interest.] The petitioner has standing. (*State the standing of the petitioner*.)

2. That the date on which the grounds giving rise to the petition first arose was (*date*).

3. That on that date the respondent (*specify act, decision or omission to be reviewed*).

4. That the petitioner seeks (*state remedies sought)*. The petitioner craves the court to pronounce such further orders (including an order for expenses) as may seem to the court to be just and reasonable in all the circumstances of the case.

5. That the petitioner challenges the decision [*or* act *or* omission] of the respondent on the following ground(s).

6. (*State briefly (in numbered paragraphs) facts in support of the ground(s) of challenge.*)

7. (*State briefly (in numbered paragraphs) the legal argument with reference to enactments or authority.*)

PERMISSION TO PROCEED

8. That the petitioner satisfies section 27B(2) (requirement for permission) of the Court of Session Act 1988. (*State briefly (in numbered paragraphs) how the petitioner can demonstrate a sufficient interest in the subject matter of the petition and why the petition has a real prospect of success*). [*or*

8. That the petitioner satisfies section 27B(3) (requirement for permission: second appeals test) of the Court of Session Act 1988. (*State briefly (in numbered paragraphs) how the petitioner can (a) demonstrate a sufficient interest in the subject matter of the petition, (b) why the petition has a real prospect of success, and (c) either why the petition raises an important point of principle or practice or why there is some other compelling reason for allowing the petition to proceed*).]

TRANSFERS TO THE UPPER TRIBUNAL

9. That the petition is not subject to a mandatory or discretionary transfer to the Upper Tribunal. [*or*

9. That the petition is subject to a discretionary transfer to the Upper Tribunal under section 20(1)(b) of the Tribunals, Courts and Enforcement Act 2007] [*or*

9. That the petition is subject to a mandatory transfer to the Upper Tribunal under section 20(1)(a) of the Tribunals, Courts and Enforcement Act 2007.]

PLEA(S)-IN-LAW

(*Specify pleas-in-law relating to each ground of challenge and remedy sought*)

According to Justice etc.

(*Signed by counsel or other person having a right of audience*)

SCHEDULE FOR SERVICE

PART 1: RESPONDENT(S)

(*State the name and designation of the respondent(s) and whether service is sought in common form or by advertisement*.)

PART 2: INTERESTED PERSON(S)

(*State the name and designation of any interested person(s) and whether service is sought in common form or by advertisement*.)

SCHEDULE OF DOCUMENTS

(*Specify any documents founded on under rule 58.3(4)(b)*)

Form 58.8

Rule 58.8(1)

Form of Request for Review

IN THE COURT OF SESSION

PETITION

Of

[A.B.] (designation and address)

For

Judicial review of (*state briefly matter sought to be reviewed*) by [C.D.]

I request a review of the decision of the Lord Ordinary made on (*date*).

(*Signed by counsel or other person having a right of audience*)

Form 58.18

Rule 58.18(1)

Form of Minute of Intervention

APPLICATION

for

LEAVE TO INTERVENE

in the

PUBLIC INTEREST

in the

PETITION

of

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

for

Judicial review of (*state briefly matter sought to be reviewed*) by [C.D.]

(*Here set out briefly:*

(a) *the name and description of the applicant;*

(b) *any issue in the proceedings which the applicant wishes to address and the applicant's reasons for believing that any such issue raises a matter of public interest;*

(c) *the propositions to be advanced by the applicant and the applicant's reasons for believing that they are relevant to the proceedings and that they will assist the Court.*)