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STATUTORY INSTRUMENTS

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**1988 No. 1976 (S.188)**

**SHERIFF COURT, SCOTLAND**

**Act of Sederunt (Small Claim Rules) 1988**

*Made - - - - 10th November 1988*

*Coming into force 30th November 1988*

**ACT OF SEDERUNT (SMALL CLAIM RULES) 1988**

1. Citation and commencement
  2. Small Claim Rules
  3. Consequential amendment
- Signature

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SCHEDULE — SMALL CLAIM RULES 1988

PART I — INTRODUCTORY

1. Citation, application and interpretation
2. Application of certain Ordinary Cause, and Summary Cause, Rules

PART II — RULES FOR SMALL CLAIMS FOR PAYMENT OF MONEY ONLY

3. (1) A small claim for payment of money only shall...
4. Period of notice
5. Service of summons where address of defender is known
6. Service where address of defender is unknown
7. Return of summons
8. Response to summons where defender intends to appear
9. Response to summons where defender does not intend to appear
10. No response by defender
11. Consent to application for time to pay direction
12. Preliminary hearing
13. Conduct of preliminary hearing
14. Remit between rolls
15. Alteration of summons, etc.
16. Witnesses
17. Productions
18. Recovery of documents
19. Hearing

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

20. Noting of evidence
  21. Documents, etc., referred to during hearing
  22. Abandonment of small claim
  23. Decree by default and dismissal
  24. Application for a time to pay direction in defended small claims
  25. Decree
  26. Expenses
  27. Recall of decree
  28. Book of Small Claims
  29. Appeals
  30. Representation
  31. Application of rules to solicitors
  32. Contents of envelope containing service copy summons
  33. Incidental applications
  34. Dispensing power of sheriff
    - PART III — SPECIAL RULES FOR SMALL CLAIMS FOR DELIVERY OR RECOVERY OF POSSESSION OF MOVEABLE PROPERTY AND FOR IMPLEMENT OF AN OBLIGATION
  35. Application
  36. Summons for delivery or recovery of possession of moveable property
  37. Summons for implement of an obligation
  38. Service
  39. Time to pay directions
  40. Preliminary hearing
  41. Decree for alternative claim for payment
- APPENDIX 1 — FORMS
- APPENDIX 2 — RULES OF THE ORDINARY CAUSE RULES WHICH APPLY TO SMALL CLAIMS
- rule 14 (persons carrying on business under a trading or...
- APPENDIX 3 — RULES OF THE SUMMARY CAUSE RULES WHICH APPLY TO SMALL CLAIMS
- rule 3A (information on summons). rule 6(1), (2) and (4)...
- Explanatory Note