

SCHEDULE 1

SMALL CLAIM RULES 2002

CHAPTER 23

Appeals

Appeal in relation to a time to pay direction

23.4.—(1) This rule applies to appeals to the sheriff principal or to the Court of Session which relate solely to any application in connection with a time to pay direction.

(2) Rules 23.1, 23.2 and 23.3(2) and (3) shall not apply to appeals under this rule.

(3) An application for leave to appeal against a decision in an application for a time to pay direction or any order connected therewith must—

(a) be made in Form 22, within seven days of that decision, to the sheriff who made the decision; and

(b) must specify the question of law upon which the appeal is to proceed.

(4) If leave to appeal is granted, the appeal must be lodged in Form 23 and intimated by the appellant to every other party within 14 days of the order granting leave and the sheriff must state in writing his reasons for his original decision.

(5) An appeal under this rule to the sheriff principal shall proceed in accordance with paragraphs (1), (4) and (5) of rule 23.3.