

Status: This is the original version (as it was originally made).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

SCHEDULE 4

Rule 17.2(1)

FORM 15

Order by the court and certificate in optional procedure for recovery of documents

Sheriff court at *(place)*

In the claim *(court ref. no.)*

in which

AB *(design)* is the pursuer

and

C.D. *(design)* is the defender

To: *(name and designation of party or haver from whom the documents are sought to be recovered).*

You are hereby required to produce to the sheriff clerk at *(address)* within days of the service upon you of this order:

1. This order itself (which must be produced intact);
2. The certificate marked "B" attached;
3. All documents within your possession covered by the specification which is enclosed; and
4. A list of those documents.

You can produce the items listed above either:

- (a) by delivering them to the sheriff clerk at the address shown above; or
- (b) sending them to the sheriff clerk by registered or recorded delivery post.

(date) *(signature, name, address and designation of person serving order)*

PLEASE NOTE:

If you claim confidentiality for any of the documents produced by you, you must still produce them. However, they may be placed in a separate envelope by themselves, marked "confidential". The court will, if necessary, decide whether the envelope should be opened or not.

Where the person ordering you to produce the document is not the sheriff clerk, claims for necessary outlays within certain specified limits may be paid. Claims should be made in writing to the person who has obtained an order that you produce the documents.

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CERTIFICATE

B

Sheriff Court at *(place)*

In the claim *(court ref. no.)*

in which

AB *(design)* is the pursuer

and

CD *(design)* is the defender

Order for recovery of documents dated *(insert date)*.

With reference to the above order and relative specification of documents, I hereby certify:

* ~~that the documents produced herewith and the list signed by me which accompanies them are all the documents in my possession which fall under the specification.~~

* I have ~~no documents~~ in my possession falling ~~under~~ the specification.

* I believe ~~that there are other documents falling within the specification which are not in my possession.~~ These documents are *(list the documents as described in the specification.)* These documents were last seen by me on *(date)* in the possession of *(name and address of person/company, if known)*.

* I knew of no documents falling within the specification which are in the possession of any other person.

** delete as appropriate*

(name) (date)