
SCOTTISH STATUTORY INSTRUMENTS

2008 No. 349

**Act of Sederunt (Rules of the Court of Session
Amendment No. 5) (Miscellaneous) 2008**

Designation of parties

- 3.—(1) In rule 13.2 (form of summonses), in paragraph (4)—
- (a) omit “and” after subparagraph (c); and
 - (b) after subparagraph (d) insert—
 - “; and
 - (e) if applicable, any special capacity in which the pursuer is suing or any special capacity in which the defender is being sued.”.
- (2) In rule 14.4 (form of petitions), in paragraph (2)—
- (a) after subparagraph (a) omit “and”; and
 - (b) after subparagraph (b) insert—
 - “; and
 - (c) the name, designation and address of the petitioner and a statement of any special capacity in which the petitioner is presenting the petition”.
- (3) In rule 47.3 (election of procedure for commercial actions and form of summons), after paragraph 2(b) insert—
- “(ba) specify any special capacity in which the pursuer is bringing the action or any special capacity in which the action is brought against the defender;”.
- (4) In Forms 13.2-A (form of summons and backing) and 43.2-A (form of summons and backing in personal injuries action), in the instance—
- (a) for “[A.B.] (*designation and address*), Pursuer” substitute “[A.B.] (*designation, statement of any special capacity in which the pursuer is suing, and address*), Pursuer”; and
 - (b) for “[C.D.] (*designation and address*), Defender” substitute “[C.D.] (*designation, statement of any special capacity in which the defender is being sued, and address*), Defender”.
- (5) In Form 14.4 (form of petition), in the instance, for “The Petition of [A.B.] (*name, designation and address of petitioner*)” substitute “The Petition of [A.B.] (*name, designation and address of petitioner and statement of any special capacity in which the petitioner is presenting the petition*)”.
- (6) In Form 58.6 (form of petition in application for judicial review), in the instance, for “[A.B.] (*designation and address*)” substitute “[A.B.] (*designation and address and statement of any special capacity in which the petitioner is presenting the petition*)”.