
SCOTTISH STATUTORY INSTRUMENTS

2008 No. 349

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

Service by post

- 6.—(1) In rule 16.4 (service by post), for paragraph (5) substitute—
- “(5) Where a document is served by a registered post service, a receipt of posting by the operator of that service shall be attached to the certificate of service”.
- (2) In rule 21.2 (applications for summary decree), for paragraph (3)(b)(ii) substitute—
- “(ii) a certificate of intimation by post in Form 16.4 in respect of each letter of intimation.”.
- (3) In rule 50.2 (parties to, and service and intimation of, actions of declarator under the Presumption of Death (Scotland) Act 1977), for paragraph (8)(b) substitute—
- “(b) lodge in process a certificate of intimation of those defences by post in Form 16.4.”.
- (4) In rule 50.5 (applications for variation or recall of decrees), for paragraph (4)(b) substitute—
- “(b) lodge in process a certificate of intimation of those answers by post in Form 16.4.”.
- (5) In Form 16.4 (form of certificate of service, or intimation on a warrant, by post)—
- (a) after “(name of defender or other person on whom served)” insert “[where applicable, by first class recorded delivery]”; and
- (b) omit “The post office receipt [or certificate of posting] is attached to this certificate.”.