
SCOTTISH STATUTORY INSTRUMENTS

2015 No. 419

**Act of Sederunt (Rules of the Court of Session,
Sheriff Appeal Court Rules and Sheriff Court
Rules Amendment) (Sheriff Appeal Court) 2015**

Amendment of the Small Claim Rules 2002

12.—(1) The Small Claim Rules 2002⁽¹⁾ are amended in accordance with this paragraph.

(2) In rule 21.6 (expenses)⁽²⁾—

(a) in paragraph (1)—

(i) in subparagraph (b), omit “; or”;

(ii) omit subparagraph (c);

(b) in paragraph (6), omit “the sheriff principal or”;

(c) in paragraph (9)(b), omit “the sheriff principal or”;

(d) in paragraph (10), omit “sheriff principal or the”;

(e) omit paragraph (11);

(f) in paragraph (12), omit “the sheriff principal or”;

(g) in paragraph (13), omit “sheriff principal or”;

(h) in paragraph (15), omit “sheriff principal or”.

(3) In Chapter 23 (appeals)—

(a) in rule 23.1 (appeals)—

(i) in paragraph (1)—

(aa) for “sheriff principal” substitute “Sheriff Appeal Court”;

(bb) omit “by note of appeal”;

(ii) in paragraph (2), for “a note of appeal” substitute “Form 21”;

(iii) in paragraph (3), for “a note of appeal” substitute “Form 21”;

(iv) for paragraph (10) substitute—

“(10) After the sheriff has signed the stated case, the appeal is to proceed in accordance with Chapter 29 of the Act of Sederunt (Sheriff Appeal Court Rules) 2015⁽³⁾.”;

(v) the heading becomes “Appeals: application for stated case”;

(b) omit rules 23.2 (effect of and abandonment of appeal) and 23.3 (hearing of appeal);

(c) in rule 23.4 (appeal in relation to a time to pay direction)—

(1) The Small Claim Rules 2002 are in Schedule 1 to the Act of Sederunt (Small Claim Rules) 2002 (S.S.I. 2002/133, last amended by S.S.I. 2015/283).

(2) Rule 21.6 was last amended by S.S.I. 2009/164.

(3) S.S.I. 2015/356.

- (i) in paragraph (1), for “sheriff principal” substitute “Sheriff Appeal Court”;
 - (ii) in paragraph (2), for “Rules 23.1, 23.2 and 23.3(2) and (3)” substitute “Rule 23.1”;
 - (iii) omit paragraph (5).
- (4) In Appendix 1 (forms)(4)—
- (a) in Form 21 (form of note of appeal to the sheriff principal)—
 - (i) for “sheriff principal” substitute “Sheriff Appeal Court”;
 - (ii) the title of the Form becomes “Form of application for stated case”;
 - (b) in Form 22 (application for leave to appeal against time to pay direction), for “sheriff principal” substitute “Sheriff Appeal Court”;
 - (c) in Form 23 (appeal against time to pay direction), for “sheriff principal” substitute “Sheriff Appeal Court”.
- (5) In Appendix 2 (glossary), in the term “stated case”, for “sheriff principal” substitute “Sheriff Appeal Court”.