

*Status: Point in time view as at 01/11/2007.*

*Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Sheriff Courts (Scotland) Act 1907. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)*

## SCHEDULES

### <sup>F1</sup>FIRST SCHEDULE

#### ORDINARY CAUSE RULES 1993

##### Textual Amendments

- F1** Sch. 1 (with appendices 1 and 2) substituted (1.1.1994) for Sch. 1 (with appendix) by [S.I. 1993/1956](#), para. 2, [Sch.1](#).  
Sch. 1 (except rule 29.10) excluded (1.4.1997) by [S.I. 1997/291](#), [rule 3.24](#), Sch. 3  
Sch. 1 extended (14.2.2000) by [S.I. 2000/124](#), [reg. 30\(5\)](#)

#### SPECIAL PROVISIONS IN RELATION TO PARTICULAR CAUSES

##### CHAPTER 33A

##### CIVIL PARTNERSHIP ACTIONS

##### <sup>F1</sup>PART II

##### *UNDEFENDED CIVIL PARTNERSHIP ACTIONS*

##### Textual Amendments

- F1** Sch. 1 Ch. 33A inserted (8.12.2005) by [Act of Sederunt \(Ordinary Cause Rules\) Amendment \(Civil Partnership Act 2004\) 2005 \(S.S.I. 2005/638\)](#), [art. 2\(2\)](#)

##### *Procedure for decree in actions under rule 33A.29*

- 33A.3(1) In an action to which rule 33A.29 (evidence in certain undefended civil partnership actions) applies, the pursuer shall at any time after the expiry of the period for lodging a notice of intention to defend—
- (a) lodge in process the affidavit evidence; and
  - (b) endorse a minute in Form CP27 on the initial writ.
- (2) The sheriff may, at any time after the pursuer has complied with paragraph (1), without requiring the appearance of parties—
- (a) grant decree in terms of the motion for decree; or
  - (b) remit the cause for such further procedure, if any, including proof by parole evidence, as the sheriff thinks fit.

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