
STATUTORY INSTRUMENTS

1993 No. 3128

Act of Sederunt (Summary Suspension) 1993

Sist of diligence

3.—(1) On sufficient caution being found or other security given for—

- (a) the sum charged for with interest and expenses, and
- (b) a further sum to be fixed by the sheriff in respect of expenses to be incurred in the suspension process,

the sheriff may sist diligence, order intimation and answers, and proceed to dispose of the cause in a summary manner.

(2) The following rules of the Ordinary Cause Rules 1993⁽¹⁾ shall, with the necessary modifications, apply to an applicant under paragraph 2:—

- rule 27.4 (methods of finding caution or giving security)
- rule 27.5 (cautioners and guarantors)
- rule 27.6 (forms of bonds of caution and other securities)
- rule 27.7 (sufficiency of caution or security and objections)
- rule 27.8 (insolvency or death of cautioner or guarantor).

⁽¹⁾ The Ordinary Cause Rules 1993 are in Schedule 1 to the Sheriff Courts (Scotland) Act 1907 as substituted by the Act of Sederunt (Sheriff Court Ordinary Cause Rules) 1993 (S.I.1993/1956).