SCOTTISH STATUTORY INSTRUMENTS

2002 No. 133

SHERIFF COURT

Act of Sederunt (Small Claim Rules) 2002

Made - - - -	*1st March 2002*
Coming into force - -	*10th June 2002*

The Lords of Council and Session, under and by virtue of the powers conferred by section 32 of the Sheriff Courts (Scotland) Act 1971(**1**) and of all other powers enabling them in that behalf, having approved draft rules submitted to them by the Sheriff Court Rules Council in accordance with section 34 of the said Act of 1971, do hereby enact and declare:

Citation and commencement

1.—(1) This Act of Sederunt may be cited as the Act of Sederunt (Small Claim Rules) 2002 and shall come into force on 10th June 2002.

(2) This Act of Sederunt shall be inserted in the Books of Sederunt.

Small Claim Rules

2. The provisions of Schedule 1 to this Act of Sederunt shall have effect for the purpose of providing rules for the form of summary cause process known as a small claim.

Transitional provision

3. Nothing in Schedule 1 to this Act of Sederunt shall apply to a small claim commenced before 10th June 2002 and any such claim shall proceed according to the law and practice in force immediately before that date.

Revocation

4. The Acts of Sederunt mentioned in column (1) of Schedule 2 to this Act of Sederunt are revoked to the extent specified in column (3) of that Schedule except in relation to any small claim commenced before 10th June 2002.

(**1**) 1971 c. 58. Section 32 was amended by the Law Reform (Miscellaneous Provisions) (Scotland) Act 1985 (c. 73), Schedule 2, paragraph 12, the Civil Evidence (Scotland) Act 1988 (c. 32), section 2(4) and the Children (Scotland) Act 1995 (c. 36), Schedule 4, paragraph 18(2) and the Adults with Incapacity (Scotland) Act 2000 (asp 4), Schedule 5, paragraph 13, and was extended by sections 39(2) and 49 of the Child Support Act 1991 (c. 48).

Edinburgh
1st March 2002

W DOUGLAS CULLEN
Lord President, I.P.D.

SCHEDULE 1 Paragraph 2

SMALL CLAIM RULES 2002

ARRANGEMENT OF RULES

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CHAPTER 2

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2.1 Representation

CHAPTER 3

Relief from failure to comply with rules

3.1 Dispensing power of sheriff

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4.3 Defender's copy summons
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4.6 Intimation

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5.1 Register of Small Claims

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6.2 Form of service
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Arrestment

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11.1 Counterclaim

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12.1 Alteration of summons etc.

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13.1 Additional defender

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14.1 Applications for sist of party and transference

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