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SCOTTISH STATUTORY INSTRUMENTS

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**2006 No. 198**

**Act of Sederunt (Sheriff Court Caveat Rules) 2006**

**Form, lodging and renewal of caveats**

**3. –**

(1) A caveat shall be in the form set out in the Schedule to this Act of Sederunt, or a form substantially to the same effect with such variation as circumstances may require, and shall be lodged with the sheriff clerk.

(2) A caveat shall remain in force for a period of one year from the date on which it was lodged and may be renewed on its expiry for a further period of one year and yearly thereafter.

(3) An application for the renewal of a caveat shall be made in writing to the sheriff clerk not less than 7 days before its expiry.

(4) Where a caveat has been lodged and has not expired, no order in respect of which the caveat was lodged may be pronounced unless the sheriff is satisfied that all reasonable steps have been taken to afford the person lodging the caveat an opportunity of being heard; and the sheriff may continue the hearing on such an order until he is satisfied that such steps have been taken.