

SCHEDULE

Paragraph 5(4)

PART 1

Form DA1

Rule 41A.2(3)

Form of interlocutor for a determination of a domestic abuse interdict

Court ref no.

SHERIFFDOM OF *(insert name of sheriffdom)*

AT *(insert place of sheriff court)*

[A.B.], *(insert designation and address)*, Pursuer

against

[C.D.], *(insert designation and address)*, Defender

*(Date)*

The sheriff, in pursuance of section 3(1) of the Domestic Abuse (Scotland) Act 2011, makes a determination that the [interim\*] interdict dated *(insert date)* [and to which a power of arrest was attached by interlocutor dated *(insert date)*\*] is a domestic abuse interdict. [The sheriff appoints *(insert name of person)*] to send forthwith a copy of this interlocutor and a copy of the certificate of service in Form DA2 to *(insert name(s) and address(es) of chief constable(s))*\*. *(\*delete as appropriate)*

*(Sheriff)*

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

## Form DA2

Rule 41A.2(4)

### Form of certificate of service

Court ref no.

SHERIFFDOM OF *(insert name of sheriffdom)*

AT *(insert place of sheriff court)*

[A.B.], *(insert designation and address)*, Pursuer

against

[C.D.], *(insert designation and address)*, Defender

*(Insert place and date)*

I hereby certify that on *(insert date)* I duly served on *(insert name and address of person subject to the interdict)* a copy of Form DA1. This I did by *(state method of service)*.

*(Signed)*

*(Solicitor/sheriff officer)*

*(add designation and business address)*

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## Form DA3

### Rule 41A.2(5)

Form of interlocutor for recall of a determination of a domestic abuse interdict

Court ref no.

SHERIFFDOM OF *(insert name of sheriffdom)*

AT *(insert place of sheriff court)*

[A.B.], *(insert designation and address)*, Pursuer

against

[C.D.], *(insert designation and address)*, Defender

*(Date)*

The sheriff, in pursuance of section 3(5)(b) of the Domestic Abuse (Scotland) Act 2011, recalls the determination that the [interim\*] interdict dated *(insert date)* is a domestic abuse interdict. [The sheriff appoints *(insert name of person)*] to send forthwith a copy of this interlocutor to *(insert name(s) and address(es) of chief constable(s))\**. (\*delete as appropriate)

*(Sheriff)*

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## Form DA4

Rule 41A.2(8)

Form of certificate of sending documents to the chief constable(s)

Court ref no.

SHERIFFDOM OF *(insert name of sheriffdom)*

AT *(insert place of sheriff court)*

[A.B.], *(insert designation and address)*, Pursuer

against

[C.D.], *(insert designation and address)*, Defender

*(Insert place and date)*

I hereby certify that on *(insert date)* I duly sent to *(insert name and address of chief constable(s))* chief constable(s) of *(insert name(s) of constabulary)* a copy of [the interlocutor in Form DA1 and the certificate of service in Form DA2\*] [the interlocutor in Form DA3\*]. This I did by *(state method of sending)*. *(\*delete as appropriate)*

*(Signed)*

*(Solicitor/sheriff officer)*

*(add designation and business address)*

Paragraph 6(3)

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## PART 2

### Form 5A

Rule 5A(2)

Form of citation

CITATION

Court ref. no.

SHERIFFDOM OF *(insert name of Sheriffdom)*

AT *(insert place of sheriff court)*

[A.B.], *(insert designation and address)*, Petitioner against [C.D.], *(insert designation and address)*, Defender

*[Insert place and date]*. You [C.D.], are hereby served with this copy petition and warrant. If you wish to show cause why sequestration should not be awarded you should appear at *(insert name and address of sheriff court)* on *(insert date of hearing)*.

**IF YOU ARE UNCERTAIN WHAT ACTION TO TAKE** you should consult a solicitor. You may be eligible for legal aid depending on your income, and you can get information about legal aid from a solicitor. You may also obtain advice from any Citizens' Advice Bureau or other advice agency.

**PLEASE NOTE THAT IF YOU DO NOTHING IN ANSWER TO THIS DOCUMENT** the court may award sequestration.

Signed

[[P.Q.], Sheriff Officer]  
or [[X.Y.] *(add designation and business address)*

Solicitor for the Petitioner]

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## Form 5B

Rule 5A(7)

Form of certificate of citation

CERTIFICATE OF CITATION

Court ref. no.

*[Insert place and date] I, [insert name], certify that on [insert date] I duly cited [insert debtor's name] to answer to the attached petition by appearing at [insert name and address of sheriff court] on [insert date of hearing]. This I did by [state method of citation; if by sheriff officer add: in the presence of [insert name of witness] [insert designation], witness; and where citation served by post state method of postal service].*

Signed  
[[C.D.], Sheriff Officer  
[P.Q.], witness] or  
[[X.Y.] (add designation and business address)  
Solicitor for the Petitioner]