
SCOTTISH STATUTORY INSTRUMENTS

2016 No. 229

Act of Sederunt (Rules of the Court of Session 1994 and Sheriff Court Rules Amendment) (No. 2) (Miscellaneous) 2016

Amendment of the Ordinary Cause Rules 1993

- 2.—(1) The Ordinary Cause Rules 1993(1) are amended in accordance with this paragraph.
(2) After Part II (removing) of Chapter 34 (actions relating to heritable property)(2) insert—

“PART III

EXECUTION OF DEEDS

Form of application under section 87 of the Courts Reform (Scotland) Act 2014

34.12. An application for an order for execution under section 87 (power of sheriff to order sheriff clerk to execute deed relating to heritage) of the Courts Reform (Scotland) Act 2014 may be made—

- (a) by a crave in the initial writ;
- (b) where no such crave has been made, by lodging a minute of amendment to the initial writ; or
- (c) where final decree has been pronounced, by lodging a minute in the process of the action to which the application relates.”.

- (3) In rule 36.L1(1) (incidental hearings)(3), for “paragraph (3) or (8) of rule 36.G1 or paragraph (3) of rule 36.K1” substitute “paragraph (3) of rule 36.G1 or paragraph (4) of rule 36.K1”.

(1) The Ordinary Cause Rules 1993 are in schedule 1 of the Sheriff Courts (Scotland) Act 1907 (c.51). Schedule 1 was substituted by S.I. 1993/1956 and was last amended by S.S.I. 2016/215.
(2) Chapter 34 was last amended by S.S.I. 2010/324.
(3) Rule 36.L1 was inserted by S.S.I. 2009/285.