

SCHEDULE 2

THE RULES OF THE COURT OF SESSION 1994

Special provisions in relation to particular proceedings

CHAPTER 52

ACTIONS OF PROVING THE TENOR

Parties to action of proving the tenor

52.1. In an action of proving the tenor, the pursuer shall call as a defender—

- (a) any person having an interest in the document to be proved; or
- (b) where only the pursuer has such an interest, the Lord Advocate as representing the public interest.

Lodging of supporting evidence

52.2. On lodging the summons for signeting, supporting documentary evidence of the tenor of the document to be proved in an action of proving the tenor, so far as in the possession or control of the pursuer, shall be lodged in process.

Proof in undefended actions

52.3. Where no appearance has been entered or no defences have been lodged in an action of proving the tenor, the pursuer shall apply by motion for an order for proof.