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SCOTTISH STATUTORY INSTRUMENTS

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**2011 No. 193**

**Act of Sederunt (Sheriff Court Rules)  
(Miscellaneous Amendments) 2011**

**Pensions Act 2008**

**15.—(1)** The Ordinary Cause Rules are amended in accordance with the following subparagraphs.

(2) In rule 33.7 (warrants and forms for intimation)(1)—

(a) in paragraph (1)(l) omit the word “and” where it appears at the end of that paragraph;

(b) after paragraph (1)(m) insert—

“(n) in an action where a pursuer makes an application for an order under section 8(1)(bab) of the Act of 1985 (pension compensation sharing order)(2), to the Board of the Pension Protection Fund, and a notice of intimation in Form F12C shall be attached to the initial writ intimated to that Board; and

(o) in an action where a pursuer makes an application for an order under section 8(1)(bb) of the Act of 1985 (an order under section 12B(2) of the Act of 1985 for pension compensation)(3), to the Board of the Pension Protection Fund and a notice of intimation in Form F12D shall be attached to the initial writ intimated to that Board.”.

(3) In rule 33.51 (applications relating to orders for financial provision)(4)—

(a) in paragraph (3)(b) omit the word “or” where it appears at the end of that paragraph; and

(b) after paragraph (3)(b) insert—

“(ba) section 12B(4) of the Act of 1985 (recall or variation of a capital sum order)(5), or”.

(4) In rule 33A.7 (warrants and forms for intimation)(6)—

(a) in paragraph (1)(j) omit the word “and” where it appears at the end of that paragraph;

(b) after paragraph (1)(k) insert—

“(l) in an action where a pursuer makes an application for an order under section 8(1)(bab) of the Act of 1985 (pension compensation sharing order), to the Board of the Pension Protection Fund, and a notice of intimation in Form CP12A shall be attached to the initial writ intimated to that Board; and

(m) in an action where a pursuer makes an application for an order under section 8(1)(bb) of the Act of 1985 (an order under section 12B(2) of the Act of 1985 for pension compensation), to the Board of the Pension Protection Fund and a notice

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(1) Rule 33.7 was amended by [S.I. 1996/2167](#) and [2445](#); [S.S.I. 2000/408](#); and [S.S.I. 2006/207](#).

(2) [1985 c.37](#). Section 8(1)(bab) was inserted by the Pensions Act 2008 ([c.30](#)), Schedule 7, paragraph 2.

(3) Section 8(1)(bb) was inserted by the Pensions Act 2008, Schedule 7, paragraph 2.

(4) Rule 33.51(3) was inserted by [S.I. 1996/245](#); and amended by [S.S.I. 2003/26](#).

(5) Section 12B was inserted by the Pensions Act 2008, Schedule 7, paragraph 6.

(6) Rule 33A.7 was inserted by [S.S.I. 2005/638](#); and amended by [S.S.I. 2006/207](#).

of intimation in Form CP12B shall be attached to the initial writ intimated to that Board.”.

- (5) In rule 33A.48 (applications relating to orders for financial provision)(7)—
- (a) in paragraph (3)(b) omit the word “or” where it appears at the end of that paragraph; and
  - (b) after paragraph (3)(b) insert—
    - “(ba) section 12B(4) of the Act of 1985 (recall or variation of a capital sum order); or”.
- (6) Appendix 1 (forms) is amended as follows:—
- (a) after Form F12B insert Form F12C and Form F12D set out in the Schedule to this Act of Sederunt; and
  - (b) after Form CP12 insert Form CP12A and Form CP12B set out in the Schedule to this Act of Sederunt.

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(7) Rule 33A.48 was inserted by [S.S.I. 2005/638](#).