
SCOTTISH STATUTORY INSTRUMENTS

2012 No. 188

**Act of Sederunt (Sheriff Court Rules)
(Miscellaneous Amendments) 2012**

Family actions: financial information

- 4.—(1) The Ordinary Cause Rules are amended in accordance with the following subparagraphs.
- (2) In rule 33.9 (productions in action of divorce or where section 11 order may be made)(1)—
- (a) after subparagraph (b), insert—
 - “(c) in an action which includes a crave for an order for financial provision, the pursuer must lodge a completed Form F13A signed by the pursuer with the initial writ or minute of amendment as the case may be.”;
 - (b) the heading of that rule becomes “Productions in action of divorce or where a section 11 order or order for financial provision may be made”.
- (3) In rule 33.34 (notice of intention to defend and defences)(2)—
- (a) after paragraph (3) insert—
 - “(4) Where a defender opposes a crave for an order for financial provision or makes a claim in accordance with paragraph (1)(b)(ii), (iii) or (c)(i), the defender must lodge a completed Form F13A signed by the defender with the defences, minute of amendment or answers as the case may be.”;
 - (b) the heading of that rule becomes “Notice of intention to defend and defences etc.”.
- (4) In rule 33A.9 (productions in action of dissolution of civil partnership or where section 11 order may be made)(3)—
- (a) after paragraph (4), insert—
 - “(5) In a civil partnership action which includes a crave for an order for financial provision, the pursuer must lodge a completed Form CP13A signed by the pursuer with the initial writ or minute of amendment as the case may be.”;
 - (b) the heading of that rule becomes “Productions in action of dissolution of civil partnership or where a section 11 order or order for financial provision may be made”.
- (5) In rule 33A.34 (notice of intention to defend and defences)—
- (a) after paragraph (3) insert—
 - “(4) Where a defender opposes a crave for an order for financial provision or makes a claim in accordance with paragraph (1)(b)(ii), (iii) or (c)(i), the defender must lodge a completed Form CP13A signed by the defender with the defences, minute of amendment or answers as the case may be.”;
 - (b) the heading of that rule becomes “Notice of intention to defend and defences etc.”.

(1) Rule 33.9 was last amended by [S.S.I. 2006/207](#).

(2) Rule 33.34 was amended by [S.I. 1996/2167](#).

(3) Rule 33A.9 was last amended by [S.S.I. 2006/207](#).

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

(6) In Appendix 1, insert the Forms set out in Schedule 1 to this Act of Sederunt in the following places—

- (a) after Form F13 (Form of intimation to person with whom an improper association is alleged to have occurred) insert Form F13A (Form of statement of matrimonial property);
- (b) after Form CP13 (Form of intimation to person with whom an association is alleged to have occurred in a civil partnership action)⁽⁴⁾ insert Form CP13A (Form of statement of civil partnership property).

⁽⁴⁾ Form CP13 was inserted by [S.S.I. 2005/638](#).