
SCOTTISH STATUTORY INSTRUMENTS

2014 No. 291

**Act of Sederunt (Rules of the Court of Session and Sheriff
Court Rules Amendment No. 2) (Miscellaneous) 2014**

Amendment of the Ordinary Cause Rules

- 3.**—(1) The Ordinary Cause Rules are amended in accordance with the following subparagraphs.
- (2) In rule 6.A4(1) (recall etc. of arrestment or inhibition)(1)—
- (a) the existing rule becomes paragraph (1);
 - (b) after paragraph (1), insert—
 - “(2) A motion under paragraph (1) shall—
 - (a) specify the name and address of each of the parties;
 - (b) where it relates to an inhibition, contain a description of the inhibition including the date of registration in the Register of Inhibitions and Adjudications.”.
- (3) After Chapter 50 (lodging audio or audio-visual recordings of children)(2), insert—

“CHAPTER 51

LAND REGISTRATION ETC.

Interpretation of this Chapter

51.1. In this Chapter—

- “the 2012 Act” means the Land Registration etc. (Scotland) Act 2012(3);
- “plot of land” has the meaning given by section 3(4) and (5) of the 2012 Act;
- “proprietor” has the meaning given by section 113(1) of the 2012 Act.

Applications under Part 6 of the 2012 Act

51.2.—(1) An application under section 67(2) (warrant to place a caveat) of the 2012 Act shall be made by motion.

(2) The motion shall—

- (a) identify, by reference to section 67(1) of the 2012 Act, the type of civil proceedings constituted by the action;
- (b) in respect of each plot of land, contain—
 - (i) a description of the registered plot of land;
 - (ii) the title number; and

(1) Rule 6.A4 was inserted by [S.S.I. 2008/121](#).

(2) Chapter 50 was inserted by [S.S.I. 2012/271](#).

(3) [2012 asp 5](#), amended by [S.I. 2013/1575](#); [2014 c.14](#); and [S.S.I. 2014/190](#).

- (iii) the name and address of the proprietor;
 - (c) where the caveat is to apply only to part of a plot of land, be accompanied by a plan indicating the part so affected.
- (3) An application under the following provisions of the 2012 Act shall be made by motion—
- (a) section 69(1) (renewal of caveat);
 - (b) section 70(1) (restriction of caveat);
 - (c) section 71(1) (recall of caveat).

Form of orders under Part 6 of the 2012 Act

- 51.3.**—(1) An order under section 67(3) or 69(2) of the 2012 Act shall be in Form 51.3-A.
- (2) An order under section 70(2) of the 2012 Act shall be in Form 51.3-B.
- (3) An order under section 71(2) of the 2012 Act shall be in Form 51.3-C.

Effect of warrant to place or renew caveat

51.4. A certified copy of an order in Form 51.3-A may be registered in the Register of Inhibitions and Adjudications.

Form of order for rectification of a document

51.5. An order for rectification under section 8 of the Law Reform (Miscellaneous Provisions) (Scotland) Act 1985⁽⁴⁾ in respect of a document which has been registered in the Land Register of Scotland shall be in Form 51.5.”.

- (4) In Appendix 1, after Form 49.11-H (form of certificate of execution of arrestment of ship or cargo on the dependence), insert the Forms set out in Schedule 2 to this Act of Sederunt.

(4) 1985 c.73. Section 8 is prospectively amended (from 8 December 2014) by the Land Registration etc. (Scotland) Act 2012 (asp 5), section 55 and schedule 5, paragraph 30.