

SCHEDULE 1

The Simple Procedure Rules

Part 8: Orders

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8.1 What is this Part about?

- (1) This Part is about the orders which the sheriff can give to manage or decide a case.

8.2 What are orders?

- (1) Orders are the way that the sheriff uses the powers of the sheriff to manage or decide a case.
- (2) Orders may be given to the parties in writing, using the Order of the Sheriff Form.
- (3) Orders may be given to the parties in person at a hearing, case management discussion or discussion in court.
- (4) Written orders must be signed or authenticated electronically by either the sheriff or the sheriff clerk.

8.3 What are standard orders?

- (1) There are standard orders which the sheriff may give in typical situations.
- (2) The sheriff may do one of three things:
 - (a) give parties a standard order,
 - (b) give parties an amended version of a standard order, or
 - (c) give parties an order customised to their case.

8.4 What are unless orders?

- (1) The sheriff may give a party an order which states that unless that party does something or takes a step, then the sheriff will make a decision in the case, including:
 - (a) dismissing the claim,
 - (b) awarding the claimant some or all of what was asked for in the Claim Form.
- (2) If that party does not do the thing or take the step that the party was ordered to, then the decision in the case must be made.

8.5 What if a party does not follow an order?

- (1) Where a party does not follow an order the sheriff may make a decision in the case, including:
 - (a) dismissing the claim or part of the claim,
 - (b) awarding the claimant some or all of what was asked for in the Claim Form.