

## CHAPTER 5

### CAVEATS

#### Orders against which caveats may be lodged

- 5.1.** Without prejudice to rule 5.1A., a person may only lodge a caveat against-
- (a) an interim interdict sought in an action before he has lodged defences;
  - (b) an interim order sought in an action before the expiry of the period within which he could enter appearance;
  - (c) an interim order (other than an order under section 1 of the Administration of Justice (Scotland) Act 1972 (a) (orders for inspection of documents and other property, etc.) sought in a petition before he has lodged answers;
  - (d) an order for intimation, service and advertisement of a petition to wind up, or to appoint an administrator to, a company in which he has an interest; and
  - (e) an order for intimation, service and advertisement of a petition for his sequestration.

#### Further restriction as to caveats

- 5.1A.** A caveat shall not be lodged against an interim order sought in a petition under rule 83.2.

#### Form, lodging and renewal of caveats

- 5.2.-** (1) A caveat shall be in Form 5.2 and shall be lodged in the Petition Department.  
(2) A caveat shall remain in force for a period of one year from the date on which it was lodged and may be renewed on its expiry for a further period of a year and yearly thereafter.

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(a) 1972 c.59; section 1 was amended by the Law Reform (Miscellaneous Provisions) (Scotland) Act 1985 (c.73), section 19 and Schedule 2, paragraph 15.