

## **ACT OF SEDERUNT (SMALL CLAIM RULES) 2002 NO. 133**

### **CHAPTER 5 REGISTER OF SMALL CLAIMS**

#### **Register of Small Claims**

- 5.1.** (1) The sheriff clerk shall keep a register of claims and incidental applications made in claims, which shall be known as the Register of Small Claims.
- (2) There shall be entered in the Register of Small Claims a note of all claims, together with a note of all minutes under rule 22.1(1) (recall of decree) and the entry for each claim or minute must contain the following particulars where appropriate:-
- (a) the names, designations and addresses of the parties;
  - (b) whether the parties were present or absent at any hearing, including an inspection, and the names of their representatives;
  - (c) the nature of the claim;
  - (d) the amount of any claim;
  - (e) the date of issue of the summons;
  - (f) the method of service;
  - (g) the return day;
  - (h) the hearing date;
  - (i) whether a form of response was lodged and details of it;
  - (j) the period of notice if shortened or extended in accordance with rule 4.5(3);
  - (k) details of any minute by the pursuer regarding a time to pay direction or time order, or minute by the pursuer requesting decree or other order;
  - (l) details of any interlocutors issued;
  - (m) details of the final decree and the date of it; and
  - (n) details of any variation or recall of a decree by virtue of the Debtors (Scotland) Act 1987.
- (3) There shall be entered in the Register of Small Claims, in the entry for the claim to which they relate, details of incidental applications including, where appropriate-
- (a) whether parties are present or absent at the hearing of the application, and the names of their representatives;
  - (b) the nature of the application; and
  - (c) the interlocutor issued or order made.
- (4) The Register of Small Claims must be-
- (a) authenticated in some appropriate manner by the sheriff in respect of each day any order is made or application determined in a claim; and
  - (b) open for inspection during normal business hours to all concerned without fee.
- (5) The Register of Small Claims may be kept in electronic or documentary form.