

## **ACT OF SEDERUNT (SUMMARY CAUSE RULES) 2002 NO. 132**

### **CHAPTER 13 ALTERATION OF SUMMONS ETC.**

#### **Alteration of summons etc.**

- 13.1.** (1) The sheriff may, on the incidental application of a party, allow amendment of the summons, form of response, counterclaim or answers to a counterclaim and adjust the note of disputed issues at any time before final judgment is pronounced on the merits.
- (2) In an undefended action, the sheriff may order the amended summons to be re-served on the defender on such period of notice as he thinks fit.
- (3) Paragraph (1) includes amendment for the following purposes:-
- (a) increasing or reducing the sum claimed;
  - (b) seeking a different remedy from that originally sought;
  - (c) correcting or supplementing the designation of a party;
  - (d) enabling a party to sue or be sued in a representative capacity;
- and
- (e) sisting a party in substitution for, or in addition to, the original party.
- (4) Where an amendment sists an additional or substitute defender to the action the sheriff shall order such service and regulate further procedure as he thinks fit.