

SCHEDULE 1

Paragraph 2(6)

FORM O2A Form of warrant in an action to which rule 3.2(3) applies

**Rule 3.3(4)**

*(Insert place and date)* Grants warrant to cite the defender *(insert name and address)* by serving a copy of the writ and warrant and Form O7 on a period of notice of *(insert period of notice)* days and ordains him *[or her]* if he *[or she]*—

- (a) intends to defend the action or make any claim, to lodge a notice of intention to defend with the sheriff clerk at *(insert place of sheriff court)* within the said period of notice after such service [and grants warrant to arrest on the dependence]; or
- (b) intends to apply for an order under section 2 of the Mortgage Rights (Scotland) Act 2001, to lodge a minute applying for an order under that section before the conclusion of the proceedings.

[Meantime grants interim interdict *or otherwise as the case may be.*]

FORM O5A Form of citation in an action to which rule 3.2(3) applies

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

**Rule 5.2(2A)**

**CITATION**

SHERIFFDOM OF *(insert name of Sheriffdom)*

AT *(insert place of Sheriff Court)*

[A.B.], *(insert designation and address)* Pursuer against [C.D.], *(insert designation and address)*,  
Defender

Court Ref No:

*(Insert place and date)*. You [C.D.], are hereby served with this copy writ and warrant, with Form O7 (notice of intention to defend).

**Form O7** is served on you for your use should you wish to intimate an intention to defend this action.

**IF YOU WISH TO DEFEND THIS ACTION** you should consult a solicitor with a view to lodging a notice of intention to defend (Form O7). The notice of intention to defend, together with the court fee of £ *(insert amount)*, must be lodged with the Sheriff Clerk at the above address within 21 days *(or insert the appropriate period of notice)* of *(insert the date on which service was executed NB Rule 5.3(2) relating to postal service)*.

**A copy of any notice of intention to defend should be sent to the Solicitor for the pursuer at the same time as your notice of intention to defend is lodged with the Sheriff Clerk.**

**IF YOU WISH TO MAKE AN APPLICATION FOR AN ORDER UNDER SECTION 2 OF THE MORTGAGE RIGHTS (SCOTLAND) ACT 2001** you should consult a solicitor with a view to lodging a minute applying for an order under that section. The minute, together with the court fee of £ *(insert amount)*, must be lodged with the Sheriff Clerk at the above address before the conclusion of the proceedings.

**IF YOU ARE UNCERTAIN AS TO WHAT ACTION TO TAKE** you should consult a solicitor. You may be eligible for legal aid depending on your income, and you can get information about legal aid from a solicitor. You may also obtain advice from any Citizens' Advice Bureau, or other advice agency.

**PLEASE NOTE THAT IF YOU DO NOTHING IN ANSWER TO THIS DOCUMENT** the court may regard you as admitting the claim made against you and the pursuer may obtain decree against you in your absence.

Signed  
[P.Q.], Sheriff Officer,  
or [X.Y.] *(add designation and business address)*  
Solicitor for the Applicant

FORM O6Form of certificate of citationCERTIFICATE OF CITATION

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

**Rule 5.2(3)**

*(Insert place and date)* I, \_\_\_\_\_ hereby certify that upon the \_\_\_\_\_ day of \_\_\_\_\_ I duly cited [C.D.], Defender, to answer to the foregoing writ. This I did by *(state method of service: if by officer and not by post, add: in presence of [L.M.], (insert designation), witness hereto with me subscribing; and where service executed by post state whether by registered post or the first class recorded delivery service).*

*(In actions in which a time to pay direction may be applied for, state whether Form O2 and Form O3 were sent in accordance with rule 3.3).*

*(In actions to which rule 3.2(3) applies, state whether Form O2A was sent in accordance with rule 3.3).*

Signed  
[P.Q.], Sheriff officer  
[L.M.], witness  
or [X.Y.]. *(add designation and business address)*  
Solicitor for the pursuer