
SCOTTISH STATUTORY INSTRUMENTS

2013 No. 162

**Act of Sederunt (Rules of the Court of Session
Amendment No. 4) (Miscellaneous) 2013**

Change of name of a party

2. After rule 24.5 (effect of amendment on diligence) insert—

“Applications to amend the name of a party in more than one cause

24.6.—(1) This rule applies where a party—

- (a) is a party to more than one cause depending before the court; and
- (b) wishes the pleadings in those causes to be amended to reflect a change in the party’s name.

(2) A party mentioned in paragraph (1) may apply to the court for the pleadings in each of the affected causes to be amended by the substitution of the new name for the old name—

- (a) in the instance or, as the case may be, address;
- (b) in any averments or, as the case may be, statement of facts which have the sole purpose of identifying or designating that party by name.

(3) The application shall be made by motion and include—

- (a) a list of all of the affected causes;
- (b) official evidence of the change of name (for example, an extract of an entry in the register of companies or an extract of an entry in a register held by the National Records of Scotland);
- (c) a statement that the applicant has informed all other parties in the affected causes of the applicant’s intention to make the application and that the other parties have been given a reasonable opportunity to object to the amendment of the pleadings.

(4) Subject to paragraph (3), the motion shall be placed before a Lord Ordinary in chambers for determination.

(5) Where any of the affected causes is in the Inner House, the application shall be placed before an Inner House judge in chambers for determination.

(6) An interlocutor pronounced under this rule shall have effect as an interlocutor in each of the affected causes.

(7) A party to any of the affected causes may apply to the court for a determination made under this rule to be reconsidered in respect of that cause.”