
SCOTTISH STATUTORY INSTRUMENTS

2015 No. 356

Act of Sederunt (Sheriff Appeal Court Rules) 2015

PART 5

INCIDENTAL PROCEDURE: STANDARD PROCEDURES

CHAPTER 18

CAUTION AND SECURITY

Methods of finding caution or giving security

- 18.4.**—(1) A person who is ordered to find caution must do so by obtaining a bond of caution.
- (2) A person who is ordered to consign a sum of money into court must do so by consignment under the Sheriff Courts Consignations (Scotland) Act 1893(1) in the name of the Clerk.
- (3) The Court may order a person to give security by—
- (a) a method other than those mentioned in paragraphs (1) and (2);
 - (b) a combination of two or more methods of security.
- (4) Any document by which an order to find caution or give security is satisfied must be lodged in process.
- (5) A document lodged under paragraph (4) may not be borrowed from process.

(1) 1893 c. 44, amended by the Law Reform (Miscellaneous Provisions) (Scotland) Act 1940 (c. 42), section 6(2); the Sheriff Courts (Scotland) Act 1971 (c. 58), section 4 and Schedule 1, paragraph 1; the Statute Law (Repeals) Act 1986, Schedule 1, Part 1, Group 4 and Schedule 2, paragraph 1; and S.I. 1974/1274, article 3(4) and Schedule 1. The Act is prospectively applied to the Sheriff Appeal Court by S.S.I. 2015/xxxx, Schedule, paragraph 1.