

SCHEDULE 1

Paragraph 2(4)

Form 2C

Rule 3.50.5(1)

**Form of warrant of citation for a Part 4ZA order or Part 4A order under  
schedule 3A of the Communications Act 2003**

*(Insert place and date)*. Grants warrant to cite the defender *(insert name and address)* by serving upon them a copy of the writ and warrant on a period of notice of 21 days and ordains them, if they oppose the application—

- (a) to lodge a notice in Form 5B within the period of notice; and
- (b) to intimate a copy of that notice to the pursuer.

*(Signed)*

Sheriff [*or* sheriff clerk]

**Status:** This is the original version (as it was originally made).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

## Form 3C

Rule 3.50.5(2)

### Form of citation for summary application for a Part 4ZA order or Part 4A order under schedule 3A of the Communications Act 2003

CITATION FOR SUMMARY APPLICATION

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, and are required to answer it.

If you wish to oppose the application, you must—

- (a) lodge a notice in Form 5B with the sheriff clerk at *(insert place and address of sheriff court)* sheriff court, not later than *(insert date)*;
- (b) and intimate a copy of that notice to the pursuer.

**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 grant the application in your absence.

*(Signed)*

[P.Q.], Sheriff Officer, *or*

[X.Y.] *(add designation and business address)*

Solicitor for the Pursuer

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## Form 5B

Rules 3.50.5(3), 3.50.6(1)

### **Form of defender's opposition to application for a Part 4ZA order or Part 4A order under schedule 3A of the Communications Act 2003**

\*PART A                    SHERIFFDOM OF *(insert name of sheriffdom)*

Court ref. no:

[A.B], *(insert designation and address)*    **Pursuer**

\*(This section to be completed by the Pursuer before service)

against

[C.D], *(insert designation and address)*    **Defender**

Date of Service:

Date of expiry of period of notice:

PART B                    (This section to be completed by the defender or defender's solicitors, and both parts of this form to be returned to the Sheriff Clerk *(insert address of Sheriff Clerk)* on or before the date of expiry of the period of notice referred to in PART A above. At the same time a copy of the form must be sent to the solicitor for the Pursuer).

AT *(insert place of sheriff court)* in the cause [A.B.] *(insert name and address)* Pursuer against [C.D.] *(insert name and address)* Defender.

Notice of opposition to the application is given by *(insert name of party opposing application)* to *(insert name of other party, or solicitor for the party, to the action)* by *(insert method of intimation; where intimation is made by facsimile transmission, insert fax number to which notice of opposition sent)* on *(insert date of intimation)*.

Date *(insert date)*

*(Signed)*

*(insert name and address of party)*

*[or Solicitor] (add name and business address)*