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STATUTORY INSTRUMENTS

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**1993 No. 920**

**Act of Sederunt (Child Support Rules) 1993**

**Application for a liability order**

2.—(1) An application by the Secretatry of State for a liability order under section 33(2) of the Act of 1991 shall be by summary application in Form 1, and rule 3 and Form A of the Ordinary Cause Rules of the sheriff court<sup>(1)</sup> shall not apply to such an application.

(2) The sheriff clerk shall, on receiving an application under paragraph (1) above, order the application to be served on the liable person with a notice in Form 2; and service of the application and notice shall be by a solicitor or officer of court, who shall complete an execution of service.

(3) Where the liable person wishes to object to the grant of the application he shall do so by completing Form 2 and returning it to the sheriff clerk within 21 days after the date of service of the application.

(4) The sheriff clerk, on receipt of an objection which is in accordance with paragraph (3) above, shall—

- (a) put out the cause for hearing; and
- (b) intimate the hearing to the parties.

(5) The sheriff may consider the application, and any objection which has been received, on the date fixed for hearing, or at any continuation of it, whether or not any of the parties appear.

(6) Where no objection to the grant of the application in accordance with paragraph (3) above has been received within 21 days after the date of service, the applicant may return the application, together with a duly completed execution of service, to the sheriff clerk requesting the sheriff to make a liability order.

(7) A liability order shall be in Form 3.

(8) An extract of the liability order, or other order of the sheriff, may be issued on the expiry of 14 days from the date of making of the order.

(9) An extract of the liability order shall be in Form 4.

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(1) 1907 c. 51; First Schedule, substituted by S.I.1983/747; relevant amendments are contained in S.I. 1984/255, 1986/1230 and 1946, 1988/1978 and 1992/249.