

Excerpt from Note by the Auditor of the Court of Session

" It is the view of the Auditor of the Court of Session that if the document is a written statement of matters on which those who are likely to be called as witnesses are expected to give evidence on oath, based either on the facts within their knowledge or on their opinion upon facts where this is competent, then the document is a precognition.

There are many forms of statement and in many cases it is difficult to ascertain whether they would be precognitions or not, but the Auditor takes the view that, if the work done was of such a nature as to indicate that some application to a Court might follow, then the document would be a precognition."

7th December, 1973.

DEFINITION OF A PREC