
SCOTTISH STATUTORY INSTRUMENTS

2006 No. 397

Act of Sederunt (Jurisdiction, Recognition and Enforcement of Judgments in Matrimonial Matters and Matters of Parental Responsibility Rules) 2006

Application by sheriff court to foreign court for transfer of case involving matters of parental responsibility

6.—(1) Where in any action a sheriff decides to make an application to a foreign court under Article 15(2)(c) (application for transfer of case involving parental responsibilities to sheriff court) he shall append to the interlocutor a note containing—

- (a) the full name, designation and postal address, telephone and facsimile numbers and, where appropriate, e-mail address of all the parties to the case involving parental responsibilities, including any agent instructed to represent the parties in the foreign court;
- (b) details of the particular connection the child is considered to have with Scotland; and
- (c) such other matters as he considers would be of assistance to the foreign court in deciding whether or not to seek a transfer of the case under Article 15(1) (transfer to a court better placed to hear the case).

(2) The sheriff clerk shall forthwith send to the foreign court—

- (a) a copy interlocutor and note under paragraph (1) by electronic mail or by facsimile transmission; and
- (b) a certified copy interlocutor and note by first class recorded delivery or registered post.