

EXPLANATORY NOTE

(This note is not part of the Act of Sederunt)

This Act of Sederunt amends the Rules of the Court of Session, the Ordinary Cause Rules, and the Summary Application Rules to make provision for applications arising under Regulation (EU) No. 606/2013 of the European Union and of the Council of 12th June 2013 on mutual recognition of protection measures in civil matters (“the Regulation”).

When an order granted in civil proceedings in the Court of Session or the sheriff court is a protection measure for the purposes of the Regulation, the rules make provision for applications arising under Article 5, 9 and 14(1) of the Regulation in relation to that protection measure.

Where the United Kingdom is the Member State addressed in respect of a protection measure ordered in another Member State, the rules make provision for applications arising under Articles 11, 13 and 14(2) of the Regulation. The rules also make provision for applications under section 1(1) of the Protection from Abuse (Scotland) Act 2001, and under section 3(1) of the Domestic Abuse (Scotland) Act 2011 in relation to a protection measure ordered in another Member State.