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STATUTORY INSTRUMENTS

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**2005 No. 2922**

**The Family Proceedings (Amendment) (No. 5) Rules 2005**

**Amendments to the 1991 Rules**

**98.** In rule 7.48—

- (a) in the heading, after “recognition” insert “or non-recognition”;
- (b) in paragraph (1), after “Council Regulation” insert “or regulations 7 or 8 of the Jurisdiction and Recognition of Judgments Regulations, as the case may be,”;
- (c) in paragraph (2), after “of a judgment” insert “under the Council Regulation”; and
- (d) after paragraph (2) insert—

“(3) Where it is sought to apply for recognition or non-recognition of a judgment under the Jurisdiction and Recognition of Judgments Regulations, the rules of this chapter shall apply to such application as they apply to an application for registration under Article 28(2) of the Council Regulation, with the following modifications—

- (a) substitute paragraph (1)(a) of rule 7.43 (evidence in support of application) with—

“(a) exhibiting—

- (i) the judgment or a verified or certified or otherwise duly authenticated copy thereof;
- (ii) where a judgment has been given in default, the original or certified true copy of the document which established that the party in default was served with the document instituting the proceedings or with an equivalent document; and
- (iii) where the judgment or document is not in the English or Welsh language, as appropriate, a translation thereof into English or Welsh, as appropriate, certified by a notary public or a person qualified for the purpose or authenticated by witness statement or affidavit.”.

- (b) in paragraph (2) of rule 7.43, omit “and (iii)”; and

(c) in rule 7.44—

- (i) in paragraph (2), omit from “and” to “that period”, and
- (ii) omit paragraph (3).”.