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SCOTTISH STATUTORY INSTRUMENTS

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**2001 No. 144**

**Act of Sederunt (Ordinary Cause Rules)  
Amendment (European Matrimonial and Parental  
Responsibility Jurisdiction and Judgments) 2001**

**Amendment of Ordinary Cause Rules 1993**

2.—(1) The Ordinary Cause Rules in Schedule 1 to the Sheriff Courts (Scotland) Act 1907<sup>(1)</sup> shall be amended in accordance with the following paragraphs.

(2) In rule 33.2 (averments in actions of divorce or separation about other proceedings) in paragraph (2)(b)(v), after “Domicile and Matrimonial Proceedings Act 1973” insert “or Council Regulation (EC) No. 1347/2000 of 29th May 2000 on jurisdiction and the recognition and enforcement of judgments in matrimonial matters and in matters of parental responsibility for children of both spouses”<sup>(2)</sup>.

(3) After rule 33.27 (affidavits), insert the following rule:—

**“Applications for European matrimonial certificates**

**33.27A.**—(1) The sheriff shall, on the request of any interested party, issue a certificate in Form F42 or Form F43, pursuant to Article 32 of Council Regulation (EC) No. 1347/2000 of 29th May 2000 on jurisdiction and the recognition and enforcement of judgments in matrimonial matters and in matters of parental responsibility for children of both spouses.

(2) Any request under paragraph (1) shall be made by the interested party by letter addressed to the sheriff clerk of the court where the decree to which the request relates was granted, and shall be accompanied by any execution of service or intimation of the judgment to the defender.”

(4) After Form F41 in the Schedule, insert the forms as set out in the Schedule to this Act of Sederunt.

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(1) 1907 c. 51; Schedule 1 was substituted by S.I.1993/1956 and amended by S.I. 1996/2167 and 2445 and by S.S.I. 2000/239 and 408.

(2) O.J. No. L 160, 30.6.00, p.19