
SCOTTISH STATUTORY INSTRUMENTS

2008 No. 365

SHERIFF COURT

**Act of Sederunt (Sheriff Court Rules)
(Miscellaneous Amendments) (No. 2) 2008**

*Made - - - - 7th November 2008
Coming into force in accordance with paragraph 1(1),
(2) and (3)*

The Lords of Council and Session, under and by virtue of the powers conferred by section 32 of the Sheriff Courts (Scotland) Act 1971(1) and section 11(6) of the UK Borders Act 2007(2), this instrument making provision for a purpose mentioned in section 2(2) of the European Communities Act 1972(3), and it appearing to the Lords of Council and Session that it is expedient for the reference to Regulation (EC) No. 1393/2007 of the European Parliament and of the Council of 13th November 2007 on the service in the Member States of judicial and extrajudicial documents in civil or commercial matters (service of documents), and repealing Council Regulation (EC) No. 1348/2000(4) to be construed as a reference to that instrument as amended from time to time, under and by virtue of the powers conferred by paragraph 1A of Schedule 2 to the European Communities Act 1972(5), and under and by virtue of all other powers enabling them in that behalf, and having approved draft rules submitted to them by the Sheriff Court Rules Council in accordance with section 34 of the said Act of 1971, do hereby enact and declare:

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- (1) 1971 c. 58. Section 32 was amended by the Law Reform (Miscellaneous Provisions) (Scotland) Act 1985 (c. 73), Schedule 2, paragraph 12, the Civil Evidence (Scotland) Act 1988 (c. 32), section 2(4), the Children (Scotland) Act 1995 (c. 36), Schedule 4, paragraph 18(2), the Adults with Incapacity (Scotland) Act 2000 (asp 4), schedule 5, paragraph 13 and the Debt Arrangement and Attachment (Scotland) Act 2002 (asp 17), section 43 and the Vulnerable Witnesses (Scotland) Act 2004 (asp 3), section 14(2) and was extended by the Child Support Act 1991 (c. 48), sections 39(2) and 49 and the Bankruptcy and Diligence (Scotland) Act 2007 (asp 3), section 33.
- (2) 2007 c. 30.
- (3) 1972 c. 68.
- (4) O.J. No. L 324, 10.12.2007, p.79.
- (5) Paragraph 1A of Schedule 2 was inserted by section 28 of the Legislative and Regulatory Reform Act 2006 (c. 51).