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## EXPLANATORY NOTE

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

This Act of Sederunt makes miscellaneous amendments to the Act of Sederunt (Form of charge for payment) 1988, the Ordinary Cause Rules 1993, the Act of Sederunt (Child Support Rules) 1993, the Rules of the Court of Session 1994 and the Act of Sederunt (Jurisdiction, Recognition and Enforcement of Judgments in Matrimonial Matters and Matters of Parental Responsibility Rules) 2006.

Paragraph 2 amends the form of charge for payment prescribed in the Act of Sederunt (Form of charge for payment) 1988. Paragraph 5(3) amends the equivalent form in the Rules of the Court of Session 1994 (Form 16.15–G). These amendments make it clear to a debtor that he or she will only be liable to be sequestrated if his or her debts amount to £3,000 or more.

Paragraph 3 amends rules 33.7(1)(h) and 33A.7(1)(f) of the Ordinary Cause Rules 1993 to make it clear that when a family action or civil partnership action is intimated to a child who is not a party, a copy of the initial writ must not be sent to the child. This change achieves consistency with rule 49.8(7) of the Rules of the Court of Session 1994.

Paragraph 4 amends the Act of Sederunt (Child Support Rules) 1993 to provide that a summary application by the Secretary of State for Work and Pensions for a liability order under section 33 of the Child Support Act 1991 can be signed by an official authorised for that purpose by the Secretary of State.

Paragraph 5 amends the Rules of the Court of Session 1994. Rule 62.78(2) is amended to clarify that the requirement to produce an execution of service of the judgment only applies where the applicant is seeking enforcement of a judgment on parental responsibility. Paragraph 6 makes equivalent amendments to the rules that apply to the recognition and enforcement of sheriff court judgments.