
SCOTTISH STATUTORY INSTRUMENTS

2022 No. 329

**Act of Sederunt (Rules of the Court of Session
1994 and Sheriff Court Rules Amendment)
(Civil Protection Measures (EU Exit)) 2022**

Amendment of the Summary Application Rules 1999

4.—(1) Part XLV (mutual recognition of protection measures in civil matters) of the Act of Sederunt (Summary Applications, Statutory Applications and Appeals etc. Rules) 1999⁽¹⁾ is amended in accordance with this paragraph.

(2) In rule 3.45(1) (interpretation)—

(a) omit—

- (i) the definitions from “2015 Act” to “Article 14 certificate”;
- (ii) the definitions from “interim risk of sexual harm order” to “interim trafficking and exploitation risk order”;
- (iii) “risk of sexual harm order”;
- (iv) “sexual offences prevention order”;
- (v) “trafficking and exploitation prevention order”;
- (vi) “trafficking and exploitation risk order”.

(b) in the definition of “incoming protection measure”, for “Member State other than the United Kingdom or Denmark” substitute “participating Member State”;

(c) for the definition of “Member State” substitute—

““MRP Regulation” has the meaning given by Article 3(5A) of the Regulation⁽²⁾;
“participating Member State” has the meaning given by Article 3(5) of the Regulation⁽³⁾”.

(3) Omit rules 3.45.2 (application of rules 3.45 to 3.45.9) to 3.45.9 (issue of Article 14 certificate).

(4) In rule 3.45.12 (attachment of power of arrest to incoming protection measure)—

- (a) in paragraph (2)(b), for “the Member State of origin” substitute “a participating Member State in accordance with Article 5 of the MRP Regulation”;
- (b) in paragraph (3)(b), for “the Member State of origin” substitute “a participating Member State in accordance with Article 5 of the MRP Regulation”.

(5) In schedule 1 (forms)⁽⁴⁾—

- (a) omit Forms 61 to 64;
- (b) in Form 65—

(1) [S.I. 1999/929](#) last amended by [S.S.I. 2021/452](#). Part XLV was inserted by [S.S.I. 2014/371](#).

(2) Article 3(5A) was inserted by [S.S.I. 2022/249](#).

(3) Article 3(5) was inserted by [S.S.I. 2022/249](#).

(4) Forms 61 to 66 were inserted by [S.S.I. 2014/371](#).

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (i) for “*Member State of origin*” substitute “*participating Member State*”;
 - (ii) for “the United Kingdom” substitute “Scotland”;
- (c) in Form 66—
- (i) for “*Member State of origin*” substitute “*participating Member State*”;
 - (ii) for “the United Kingdom” substitute “Scotland”.