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SCOTTISH STATUTORY INSTRUMENTS

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**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 Rules of the Court of Session 1994**

- 2.—(1) The Rules of the Court of Session 1994(1) are amended in accordance with this paragraph.
- (2) In rule 4.2 (signature of documents)(2), omit paragraph (3)(f).
- (3) In rule 106.1 (interpretation)—
- (a) omit the definition of “Article 5 certificate”;
  - (b) omit the definition of “Article 14 certificate”;
  - (c) in the definition of “incoming protection measure”, for “Member State other than the United Kingdom or Denmark” substitute “participating Member State”;
  - (d) for the definition of “Member State”, substitute—  
““MRP Regulation” has the meaning given by Article 3(5A) of the Regulation(3);  
“participating Member State” has the meaning given by Article 3(5) of the Regulation(4);”.
- (4) Omit rules 106.2 (form of application for Article 5 certificate) to 106.8 (issue of Article 14 certificate).
- (5) In rule 106.11 (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”.
- (6) In the appendix (forms)(5)—
- (a) omit Forms 106.2 to 106.7;
  - (b) in Form 106.10-A—
    - (i) for “*Member State of origin*” substitute “*participating Member State*”;
    - (ii) for “the United Kingdom” substitute “Scotland”;
  - (c) in Form 106.10-B—
    - (i) for “*Member State of origin*” substitute “*participating Member State*”;
    - (ii) for “the United Kingdom” substitute “Scotland”.

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(1) The Rules of the Court of Session 1994 are in schedule 2 of the Act of Sederunt (Rules of the Court of Session 1994) (S.I. 1994/1443), last amended by S.S.I. 2022/277. Chapter 106 was inserted by S.S.I. 2014/371.

(2) Rule 4.2 was last amended by S.S.I. 2020/208.

(3) Article 3(5A) was inserted by S.S.I. 2022/249.

(4) Article 3(5) was inserted by S.S.I. 2022/249.

(5) Forms 106.2 to 106.7, 106.10-A and 106.10-B were inserted by S.S.I. 2014/371.

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**Status:** This is the original version (as it was originally made).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

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