
EXPLANATORY NOTE

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

This Act of Sederunt amends the Ordinary Cause Rules of the sheriff court by:

- (a) amending rule 33.2(2)(b)(v) in connection with the provisions in Article 11(1) of Council Regulation (EC) No. 1347/2000 of 29th May 2000 on jurisdiction and the recognition and enforcement of judgements in matrimonial matters and in matters of parental responsibility for children of both spouses) (“the Council Regulation”) by providing a requirement that averments relevant to the issue of a sist of proceedings under the Council Regulation be made; and
- (b) inserting a new rule 33.27A (applications for European matrimonial certificates) in connection with the provisions in Article 32 of the Council Regulation by providing for the issue of a certificate to an interested party by the sheriff in relation to an action of divorce or separation following on either the grant of decree of divorce or separation or the grant of an order in such proceedings relating to a child of both spouses. The Schedule sets out the Forms of Certificate to be used.