

SCHEDULE

PART 3

FORM 88.5 Form of notice of intimation of a hearing to determine jurisdiction under Article 15 of Council Regulation (E.C.) No. 2201/2003 of 27th November 2003

Rule 88.5(3)

Date: *(date of posting or other method of intimation)*

To: *(name and address)*

TAKE NOTICE

(Name and address of pursuer) has lodged a summons in the Court of Session against *(name and address of defender)*.

The parties are presently engaged in proceedings involving matters of parental responsibility in *(specify court in other Member State where proceedings are ongoing)* and a request has been made to the Court of Session to accept jurisdiction of these proceedings and for the action to be dealt with in the Court of Session.

A hearing has been fixed on *(date)* at *(time)* within the Court of Session to determine the issue of jurisdiction.

You may appear or be represented by a person having a right of audience before the Court of Session at the hearing.

You or your representative will be asked whether you agree to jurisdiction being accepted by the Court of Session and the proceedings involving matters of parental responsibility being dealt with in the Court of Session.

If you do not appear or are not represented at the hearing the court may decide whether to accept jurisdiction in your absence.

(Signed)

Solicitor [or Agent] for Pursuer

[or as the case may be]

(Address)