

**2007 No. 350**

**COURT OF SESSION**

**Act of Sederunt (Rules of the Court of Session Amendment  
No. 6) (Recognition and Enforcement of Judgments in Civil and  
Commercial Matters) 2007**

*Made* - - - - *29th June 2007*

*Coming into force* - - *1st July 2007*

The Lords of Council and Session, under and by virtue of the powers conferred upon them by section 48 of the Civil Jurisdiction and Judgments Act 1982(a), section 5 of the Court of Session Act 1988(b) and of all other powers enabling them in that behalf, do hereby enact and declare:

**Citation and commencement**

1.—(1) This Act of Sederunt may be cited as the Act of Sederunt (Rules of the Court of Session Amendment No. 6) (Recognition and Enforcement of Judgments in Civil and Commercial Matters) 2007 and shall come into force on 1st July 2007.

(2) This Act of Sederunt shall be inserted in the Books of Sederunt.

**Amendment of the Rules of the Court of Session**

2.—(1) The Rules of the Court of Session 1994(c) shall be amended in accordance with the following sub-paragraphs.

(2) In rule 62.26(2) (interpretation) for the definition of “Council Regulation” there shall be substituted the following:—

“Council Regulation (EC) No. 44/2001 of 22nd December 2000 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters as amended from time to time to time and as applied by the Agreement of 19th October 2005 between the European Community and the Kingdom of Denmark on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters;(d)”.

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(a) 1982 c.27; section 48 was amended by paragraph 17(c)(v) of Schedule 2 to S.I. 2001/3929.

(b) 1988 c.36; section 5 was amended by the Civil Evidence (Scotland) Act 1988 c.32, section 2(3) and by the Children (Scotland) Act 1995 c.36, Schedule 4, paragraph 45.

(c) S.I. 1994/1443, last amended by S.S.I. 2007/283.

(d) O.J. No. L 012, 16.01.01, p.1 and O.J. L 299, 16.11.05, p.62-70.

(3) In rule 62.81(1) (interpretation) for the definition of “Council Regulation (EC) No. 44/2001” there shall be substituted the following:–

“Council Regulation (EC) No. 44/2001 of 22nd December 2000 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters as amended from time to time to time and as applied by the Agreement of 19th October 2005 between the European Community and the Kingdom of Denmark on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters;”.

*A C HAMILTON*  
Lord President  
I.P.D.

Edinburgh  
29th June 2007

## **EXPLANATORY NOTE**

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

This Act of Sederunt makes amendments to the Rules of the Court of Session 1994 (S.I. 1994/1443). The amendments take account of the extension of Council Regulation (EC) No. 44 of 2001 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters to Denmark by an Agreement between the European Community and the Kingdom of Denmark dated 19th October 2005 and coming into force on 1st July 2007.

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