

**2009 No. 99**

**PRIVATE INTERNATIONAL LAW**

**The European Communities (European Order for Payment)  
(Scotland) Regulations 2009**

*Made* - - - - - *10th March 2009*

*Laid before the Scottish Parliament* *11th March 2009*

*Coming into force* - - - *6th April 2009*

The Scottish Ministers make the following Regulations, for the purpose of restricting to the sheriff courts only the effect of Regulation (EC) No. 1896/2006 of 12th December 2006<sup>(a)</sup> creating a European order for payment procedure, in exercise of the powers conferred by section 2(2) of the European Communities Act 1972<sup>(b)</sup> and all other powers enabling them to do so.

**Citation, commencement and extent**

1.—(1) These Regulations may be cited as the European Communities (European Order for Payment) (Scotland) Regulations 2009 and come into force on 6th April 2009.

(2) These Regulations extend to Scotland only.

**Interpretation**

2.—(1) In these Regulations “Order for Payment Regulation” means Regulation (EC) No. 1896/2006 of the European Parliament and of the Council of 12th December 2006 creating a European order for payment procedure.

(2) Unless provided otherwise, a word or expression used in these Regulations and in the Order for Payment Regulation has the same meaning in these Regulations as it has in the Order for Payment Regulation.

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<sup>(a)</sup> O.J. No. L 399, 30.12.2006, p.1.

<sup>(b)</sup> 1972 c.68. Section 2(2) was amended by the Scotland Act 1998 (c.46), Schedule 8, paragraph 15(3) and section 27 of the Legislative and Regulatory Reform Act 2006 (c.51). The functions conferred upon the Minister of the Crown under section 2(2) of the 1972 Act, in so far as within devolved competence, were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998.

**Jurisdiction**

3. An application for a European order for payment in accordance with Article 7(1) of the Order for Payment Regulation shall be made to and determined exclusively by the sheriff court.

St Andrew's House,  
Edinburgh  
10th March 2009

*KENNY MACASKILL*  
A member of the Scottish Executive

## **EXPLANATORY NOTE**

*(This note is not part of the Regulations)*

These Regulations set out the effect on domestic legislation as regards court jurisdiction of Regulation (EC) No. 1896/2006 of the European Parliament and of the Council of 12th December 2006 creating a European order for payment procedure.

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