SCOTTISH STATUTORY INSTRUMENTS

2025 No. 171

COURT OF SESSION

Act of Sederunt (Rules of the Court of Session 1994 and Ordinary Cause Rules 1993 Amendment) (Miscellaneous) (Amendment) 2025

Made - - - -	*5th June 2025*
Laid before the Scottish Parliament	*6th June 2025*
Coming into force	*1st July 2025*

In accordance with section 4 of the Scottish Civil Justice Council and Criminal Legal Assistance Act 2013(**a**), the Court of Session has approved draft rules submitted to it by the Scottish Civil Justice Council.

The Court of Session therefore makes this Act of Sederunt under the powers conferred by section 103(1) of the Courts Reform (Scotland) Act 2014(**b**), section 48 of the Civil Jurisdiction and Judgments Act 1982(**c**) and all other powers enabling it to do so.

Citation and commencement, etc.

1.—(1) This Act of Sederunt may be cited as the Act of Sederunt (Rules of the Court of Session 1994 and Ordinary Cause Rules 1993 Amendment) (Miscellaneous) (Amendment) 2025.

(2) It comes into force on 1st July 2025.

(3) A certified copy is to be inserted in the Books of Sederunt.

Amendment of Act of Sederunt (Rules of the Court of Session 1994 and Ordinary Cause Rules 1993 Amendment) (Miscellaneous) 2025

2.—(1) Act of Sederunt (Rules of the Court of Session 1994 and Ordinary Cause Rules 1993 Amendment) (Miscellaneous) 2025(**d**) is amended in accordance with this paragraph.

(2) In paragraph 2(3)(f) (amendment of rule 62.46 of the Rules of the Court of Session 1994), for "rule 64.46(2)(c)" substitute "rule 62.46(2)(c)(**e**)".

(3) In paragraph 3(c)(v) (amendment of rule 62.28 of the Rules of the Court of Session 1994), for the new paragraph (3AAA) to be inserted substitute—

(**a**) 2013 asp 3. Section 4 was amended by the Courts Reform (Scotland) Act 2014 (asp 18), schedule 5, paragraph 31(3) and by the Inquiries into Fatal Accidents and Sudden Deaths etc. (Scotland) Act 2016 (asp 2), schedule 1, paragraph 1(4).
(**b**) 2014 asp 18.
(**c**) 1982 c. 27. Section 48 was last amended by the Private International Law (Implementation of Agreements) Act 2020 (c. 24), schedule 5, paragraph 1 and prospectively amended and modified by S.I. 2024/713.
(**d**) S.S.I. 2025/80.
(**e**) Rule 62.46(2)(c) was amended by S.I. 1996/2168.

"(3AAA) For applications to which paragraph (1)(bb) applies, in the case referred to in Article 11 (judicial settlements) of the 2019 Hague Convention, in addition to the information specified in paragraph (2) there must be produced with the petition a certificate of a court of the State of origin that the judicial settlement or a part of it is enforceable in the same manner as a judgment in the State of origin.".

PAUL CULLEN
Lord President
I.P.D.

Edinburgh
5th June 2025

EXPLANATORY NOTE

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

This Act of Sederunt amends Act of Sederunt (Rules of the Court of Session 1994 and Ordinary Cause Rules 1993 Amendment) (Miscellaneous) 2025 ("2025 instrument"), which is not yet in force. Paragraph 2(2) corrects a typographical error in paragraph 2(3)(f) of the 2025 instrument. Paragraph 2(3) corrects an error in the new rule 62.28(3AAA) of the Rules of the Court of Session 1994 (S.I. 1994/1443) which is to be inserted by the 2025 instrument. This instrument substitutes a new rule 62.28(3AAA) for the one to be inserted by the 2025 instrument to correct the error.

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£5.78

http://www.legislation.gov.uk/id/ssi/2025/171

ISBN 978-0-11-106318-7

