
SCOTTISH STATUTORY INSTRUMENTS

2012 No. 271

**Act of Sederunt (Sheriff Court Rules)
(Miscellaneous Amendments) (No. 3) 2012**

Treaty of Lisbon terminology

- 6.—**(1) The Ordinary Cause Rules are amended in accordance with the following subparagraphs.
- (2) In rule 38.1 (interpretation of Chapter 38: European Court)(**1**)—
- (a) in paragraph (1), in the definition of “reference”, at subparagraph (a), for “Article 234 of the E.E.C. Treaty” substitute “Article 267 of the Treaty on the Functioning of the European Union”;
 - (b) in paragraph (2), omit ““E.E.C. Treaty””;
 - (c) after paragraph (2) insert—
 - “(3) In paragraph (1), “the Treaty on the Functioning of the European Union” means the treaty referred to in section 1(2)(s) of the European Communities Act 1972(**2**)”.
- (3) In rule 43.1 (intimation of actions to the Office of Fair Trading)(**3**)—
- (a) in paragraph (1), for the definition of “the Treaty” substitute—
 - ““the Treaty” means the Treaty on the Functioning of the European Union, as referred to in section 1(2)(s) of the European Communities Act 1972;”;
 - (b) in paragraphs (2) and (3), for “Article 81 or 82” substitute “Article 101 or 102”.
- (4) The title of Chapter 43 becomes “CAUSES RELATING TO ARTICLES 101 AND 102 OF THE TREATY ON THE FUNCTIONING OF THE EUROPEAN UNION”.
- (5) In Appendix 1, in Form OFT1 (form of notice of intimation to the Office of Fair Trading)(**4**), for “Article 81 or 82 of the Treaty establishing the European Community” substitute “Article 101 or 102 of the Treaty on the Functioning of the European Union”.

(1) Rule 38.1 was inserted by [S.S.I. 2000/239](#).

(2) [1972 c.68](#). Section 1(2)(s) was inserted by the European Union (Amendment) Act [2008 \(c.7\)](#), section 2.

(3) Rule 43.1 was inserted by [S.S.I. 2006/293](#).

(4) Form OFT1 was inserted by [S.S.I. 2006/293](#).