

SCHEDULE 2

Paragraph 3(3)

Form 52.2

Rule 52.2

APPLICATION FOR A CERTIFICATE UNDER ARTICLE 5 OF REGULATION
(EU) NO. 606/2013 OF THE EUROPEAN PARLIAMENT AND OF THE
COUNCIL OF 12TH JUNE 2013 ON MUTUAL RECOGNITION OF
PROTECTION MEASURES IN CIVIL MATTERS

Sheriff Court

Court Ref. No.

1. The applicant is the pursuer [*or* defender] in the action by [A.B.] (*design*) against [C.D.] (*design*).
2. The applicant's date of birth is (*insert date of birth*).
3. The applicant's place of birth is (*insert place of birth*).
4. The address of the applicant to be used for notification purposes is (*insert address – the address given, which may be disclosed to the person against whom the protection measures was granted, must be an address to which any notification to the applicant can be sent*).
5. The application relates to an order granted on (*insert date of order granting protection measure*) in which (*insert name of person against whom protection measure was granted*) was prohibited from (*insert short description of prohibitions imposed*).
6. The date of birth of the person against whom the order was granted is (*insert date of birth or "not known"*).
7. The place of birth of the person against whom the order was granted is (*insert place of birth or "not known"*).
8. The address of the person against whom the order was granted is (*insert address or "not known"*).
9. The applicant asks the court to issue a certificate pursuant to Article 5(1) of Regulation (EU) No. 606/2013 of the European Parliament and of the Council of 12th June 2013 on mutual recognition of protection measures in civil matters in relation to the order referred to in paragraph 5.

Date (*insert date*)

(*Signed*)

[A.B. *or* C.D.]

[*or* Solicitor for Applicant]

(*add designation and business address*)

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Form 52.5–A

Rule 52.5(2)(a)

NOTICE OF ISSUE OF CERTIFICATE UNDER ARTICLE 5 OF REGULATION (EU) NO. 606/2013 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL OF 12TH JUNE 2013 ON MUTUAL RECOGNITION OF PROTECTION MEASURES IN CIVIL MATTERS

Sheriff Court

Court Ref. No.

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

To: *(insert name and address of person causing the risk)*

A certificate has been issued to *(insert name of party to whom certificate was issued)* in accordance with Article 5(1) of Regulation (EU) No. 606/2013 of the European Parliament and of the Council of 12th June 2013 on mutual recognition of protection measures in civil matters. The certificate relates to an order granted by the sheriff on *(insert date of interlocutor containing protection measure)*. A copy of the certificate and a copy of the order accompany this notice.

As a result of the issue of the certificate, *(insert name of person to whom certificate was issued)* can invoke the order in other Member States of the European Union.

If you consider that the certificate was wrongly issued, or that the certificate does not accurately reflect the terms of the order, you can apply to have the certificate withdrawn, or for the issue of a rectified certificate, by lodging an application in Form 52.7 with the sheriff clerk at the address below.

(Signed)

Sheriff Clerk

(insert address and telephone number)

Form 52.5–B

Rule 52.5(4)

NOTICE FOR WALLS OF COURT OF ISSUE OF CERTIFICATE UNDER ARTICLE 5 OF REGULATION (EU) NO. 606/2013 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL OF 12TH JUNE 2013 ON MUTUAL RECOGNITION OF PROTECTION MEASURES IN CIVIL MATTERS

Sheriff Court

Court Ref. No.

Date: *(insert date)*

To: *(insert name and address of person causing the risk)*

A certificate has been issued to *(insert name of party to whom certificate was issued)* in accordance with Article 5(1) of Regulation (EU) No. 606/2013 of the European Parliament and of the Council of 12th June 2013 on mutual recognition of protection measures in civil matters. The certificate relates to an order granted by the sheriff on *(insert date of interlocutor containing protection measure)* against *(insert name of person causing the risk)*, whose last known address was *(insert last known address of person causing the risk)*.

As a result of the issue of the certificate, *(insert name of person to whom certificate was issued)* can invoke the order in other Member States of the European Union.

If *(insert name of person causing the risk)* wishes to obtain a copy of the certificate and the order, that person should immediately contact the sheriff clerk at the address below.

If *(insert name of person causing the risk)* considers that the certificate was wrongly issued, or that the certificate does not accurately reflect the terms of the order, that person can apply to have the certificate withdrawn, or for the issue of a rectified certificate, by lodging an application in Form 52.7 with the sheriff clerk at the address below.

(Signed)

Sheriff Clerk

(insert address and telephone number)

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Form 52.7

Rule 52.7(1)

APPLICATION FOR RECTIFICATION OR WITHDRAWAL OF A CERTIFICATE ISSUED UNDER ARTICLE 5 OF REGULATION (EU) NO. 606/2013 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL OF 12TH JUNE 2013 ON MUTUAL RECOGNITION OF PROTECTION MEASURES IN CIVIL MATTERS

Sheriff Court

Court Ref. No.

1. The applicant is the defender [*or* pursuer] in the action by [A.B.] (*design*) against [C.D.] (*design*).
 2. On the application of the pursuer [*or* defender], the sheriff has issued a certificate in accordance with Article 5(1) of Regulation (EU) No. 606/2013 of the European Parliament and of the Council of 12th June on mutual recognition of protection measures in civil matters.
 3. The certificate relates to an order granted by the sheriff on (*insert date of interlocutor containing protection measure*).
 4. The applicant considers that the certificate does not accurately reflect the terms of the order because: (*here specify nature of discrepancy*).
- [*or* 4. The applicant considers that the certificate was wrongly issued because: (*here specify the reason the certificate was wrongly issued*).]
5. The applicant asks the court to issue a rectified certificate [*or* to withdraw the certificate].

Date (*insert date*)

(*Signed*)
 [A.B. *or* C.D.]
 [*or* Solicitor for Applicant]
 (*add designation and business address*)