

Form 62.28

Form of petition for registration of a judgment under section 4 of the Civil Jurisdiction and Judgments Act 1982 [or under the Convention on Choice of Court Agreements concluded on 30th June 2005 at the Hague] or under Article 38, Article 57 or Article 58 of the Council Regulation or the Lugano Convention
UNTO THE RIGHT HONOURABLE THE LORDS OF COUNCIL AND SESSION

PETITION

of

[A.B.] (designation and address)

under the Civil Jurisdiction and Judgments Act 1982 [or under Council Regulation (EC) No. 44/2001 of 22nd December 2000 on jurisdiction and the recognition and enforcement of judgments in civil or commercial matters or under the Lugano Convention

for registration of

a judgment [or authentic instrument or court settlement [of the (name of court)]]

dated the day of

HUMBLY SHEWETH:—

1. That this petition is presented by (name) to register a judgment [or authentic instrument or court settlement] [of the (name of court) of (date of judgment)].
2. That in the cause in which the judgment [or as the case may be] was pronounced, [A.B.] was pursuer [or defender or (as the case may be)] and [C.D.] was defender [or pursuer or as the case may be].
3. That the petitioner is a party having an interest to enforce the judgment [or as the case may be] because (state reasons).

4. That this petition is supported by the affidavit of (name of deponent) and the documents produced with it.
5. That the petitioner seeks warrant to register the judgment [or as the case may be] [and for decree in terms thereof] [and for decree to be pronounced in the following or such other terms as to the court may seem proper:— (state terms in which decree is to be pronounced in accordance with Scots law)].
6. That the petitioner seeks the authority of the court to execute the protective measure[s] of (state measures), for the following reasons (state reasons).
7. That this petition is made under section 4 of, and under Article 31 [or 50] of the Convention in Schedule 1 to, the Civil Jurisdiction and Judgments Act 1982 [or under section 4B of the Civil Jurisdiction and Judgments Act 1982] [or under Article 38 [or 57 or 58] of Council Regulation (EC) No. 44/2001 of 22nd December 2000 on jurisdiction and the recognition and enforcement of judgments in civil or commercial matters [or under Article 38 [or 57 or 58] of the Convention on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters, signed by the European Community on 30th October 2007] and rule 62.28 of the Rules of the Court of Session 1994.

According to Justice etc.

(Signed)

Petitioner

[or Solicitor [or Agent] for petitioner]

(Address of solicitor or agent)

[or counsel or other person having a right of audience]