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| Form 4 | **Form of application for refusal of enforcement of a judgment given in the European Small Claims Procedure under Article 22(1) of Regulation (EC) No 861/2007 of 11th July 2007** |
| Rule 5(2) | **EUROPEAN SMALL CLAIMS PROCEDURE**Notice under Article 22(1) ofRegulation (EC) No. 861/2007 of 11th July 2007APPLICATION FORREFUSAL OF ENFORCEMENT OF A JUDGMENT GIVEN IN THE EUROPEAN SMALL CLAIMS PROCEDUREUNDER ARTICLE 22(1) OF REGULATION (EC) NO 861/2007Sheriff Court at [*insert court*] Court ref:I, [*insert name and address*], apply under Article 22(1) of Regulation (EC) No 861/2007 for the court to make an order refusing enforcement of a judgment given in the European Small Claims Procedure by the court on [*insert date*] in favour of [*name and address of claimant*], as the order is irreconcilable with an earlier judgment given in a Member State or a third country. [*Give details**here of decision or order made and in which Member State or third country*], and:• the earlier judgment involved the same cause of action and the same parties;• the earlier judgment was given in the Member State of enforcement or fulfils the conditions necessary for its recognition in the Member State of enforcement; and• the irreconcilability was not and could not have been raised as an objection in the court or tribunal proceedings in the United Kingdom.I ask the court to intimate this application on the claimant.(*Signed*) |