

## Form 62.42C–A

Rule 62.42C(1)

Form of petition under Articles 36(2), 45(1), 46, 58(1) or 59 of the Brussels I (recast) Regulation

UNTO THE RIGHT HONOURABLE THE LORDS OF COUNCIL AND SESSION

PETITION

of

[A.B.] (designation and address)

under Regulation (E.U.) 1215/2012 of the European Parliament and of the Council of 12th December 2012 on jurisdiction and the recognition and enforcement of judgments in civil matters (recast)

for

a decision under Article 36(2) that there are no grounds for refusal of recognition

[or refusal of recognition of a judgment under Article 45(1)]

[or refusal of enforcement of a judgment under Article 46]

[or refusal of enforcement of an authentic instrument under Article 58(1)]

[or refusal of enforcement of a court settlement under Article 59]

HUMBLY SHEWETH:

1. That this petition is presented by (name) for (specify nature of petition, including the Article of the Brussels I (recast) Regulation under which it is brought) in respect of a judgment [or authentic instrument] [or court settlement] [of the (name of court) of (date of judgment etc.).
2. That in the cause in which the judgment [or authentic instrument] [or court settlement] was pronounced, [A.B.] was defender [or pursuer (or as the case may be)] and [C.D.] was pursuer [or defender (or as the case may be)].
3. That the petitioner has an interest to seek a decision that there are no grounds for refusal of recognition [or to seek refusal of recognition [or enforcement]] because: (specify reasons).
4. That the petitioner seeks a decision that there are no grounds for refusal of recognition [or seeks refusal of recognition [or enforcement]] because: (specify reasons).

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]