
DRAFT STATUTORY INSTRUMENTS

2019 No. 0000

**EXITING THE EUROPEAN UNION
PRIVATE INTERNATIONAL LAW**

**The Civil Jurisdiction and Judgments
(Amendment) (EU Exit) Regulations 2019**

Made - - - - - *******

Coming into force in accordance with regulation 1

**THE CIVIL JURISDICTION AND JUDGMENTS
(AMENDMENT) (EU EXIT) REGULATIONS 2019**

PART 1

Introduction

1. Citation, commencement and extent

PART 2

Amendment of primary legislation

2. Administration of Justice Act 1970
3. Attachment of Earnings Act 1971
4. Civil Jurisdiction and Judgments Act 1982
5. For the italic cross-heading preceding section 1 substitute “Interpretation”.
6. (1) Section 1 (interpretation of references to the Brussels and...
7. Omit section 2 (the Brussels Conventions to have the force...
8. Omit section 3 (interpretation of the Brussels Conventions).
9. In the italic cross-heading preceding section 4, omit “Supplementary”.
10. Omit section 4 (enforcement of judgments, other than maintenance orders,...
11. Omit section 4A (enforcement of judgments, other than maintenance orders,...
12. Omit section 5 (recognition and enforcement of maintenance orders: applications...
13. Omit section 5A (recognition and enforcement of maintenance orders under...
14. Omit section 6 (appeals under Articles 37(2) and 41 of...

15. Omit section 6A (appeals under Article 44 and Annex IV...
16. (1) Section 7 (interest on registered judgments) is amended as...
17. Omit section 8 (currency of payment under registered maintenance orders)...
18. (1) Section 9 (provisions supplementary to Title VII of the...
19. Omit section 10 (allocation within UK of jurisdiction with respect...
20. Omit section 11 (proof and admissibility of certain judgments and...
21. Omit section 11A (proof and admissibility of certain judgments and...
22. In section 12 (provision for issue of copies of, and...
23. Omit section 13 (modifications to cover authentic instruments and court...
24. Omit section 14 (modifications consequential on revision of the Brussels...
25. (1) Section 15 (interpretation of Part 1 and consequential amendments)...
26. Before section 16, insert— Jurisdiction in consumer and employment matters...
27. Before section 16, but after the provision inserted by regulation...
28. (1) Section 16 (allocation within UK of jurisdiction in certain...
29. Before section 18, insert— Recognition of judgments .
30. In section 18 (enforcement of UK judgments in other parts...
31. (1) Section 20 (rules as to jurisdiction in Scotland) is...
32. (1) Section 24 (interim relief and protective measures in cases...
33. (1) Section 25 (interim relief in England and Wales and...
34. (1) Section 27 (provisional and protective measures in Scotland in...
35. In section 28 (application of section 1 of Administration of...
36. In section 30 (proceedings in England and Wales or Northern...
37. In section 32 (overseas judgments given in proceedings brought in...
38. In section 33 (certain steps not to amount to submission...
39. (1) Section 41 (domicile of individuals) is amended as follows...
40. Omit section 41A (domicile of individuals for the purposes of...
41. (1) Section 42 (domicile and seat of corporation or association)...
42. After section 42 insert— Domicile of corporation or association for...
43. (1) Section 43 (seat of corporation or association for the...
44. Omit section 43A (seat of companies or other legal persons,...
45. Omit section 44 (persons deemed to be domiciled in the...
46. Omit section 44A (persons deemed to be domiciled in the...
47. In section 45 (domicile of trusts), in subsection (1), omit...
48. (1) Section 46 (domicile and seat of the Crown) is...
49. Omit section 47 (modifications occasioned by decisions of European Court...
50. (1) Section 48 (matters for which rules of court may...
51. (1) In section 49 (saving for powers to stay, sist,...
52. (1) Section 50 (interpretation: general) is amended as follows.
53. Omit Schedule 1 (text of 1968 Convention, as amended).
54. Omit Schedule 2 (text of 1971 Protocol, as amended).
55. Omit Schedule 3 (text of Titles V and VI of...
56. Omit Schedule 3A (text of Titles V and VI of...
57. Omit Schedule 3B (text of Titles V and VI of...
58. Omit Schedule 3BB (text of Titles V and VI of...
59. In Schedule 4— (a) omit rules 7, 8, 9 and...
60. In Schedule 5 (proceedings excluded from Schedule 4), in paragraph...
61. In Schedule 8 (rules as to jurisdiction in Scotland), in...
62. In Schedule 9 (proceedings excluded from Schedule 8), in paragraph...
63. Matrimonial and Family Proceedings Act 1984
64. The Matrimonial and Family Proceedings (Northern Ireland) Order 1989

65. The Companies (No. 2) (Northern Ireland) Order 1990
66. Social Security Administration Act 1992
67. Social Security Administration (Northern Ireland) Act 1992
68. Civil Partnership Act 2004
69. Defamation Act 2013

PART 3

Amendment of subordinate legislation

70. The High Court and County Courts Jurisdiction Order 1991
71. The Civil Jurisdiction and Judgments Act 1982 (Interim Relief) Order 1997
72. The Civil Jurisdiction and Judgments Act 1982 (Provisional and Protective Measures) (Scotland) Order 1997
73. The Civil Jurisdiction and Judgments Act 1982 (Gibraltar) Order 1997
74. The Civil Jurisdiction and Judgments (Authentic Instruments and Court Settlements) Order 2001
75. The Civil Jurisdiction and Judgments Order 2001
76. The Employment Tribunals (Enforcement of Orders in Other Jurisdictions) (Scotland) Regulations 2002
77. The Armed Forces (Service of Process in Maintenance Proceedings) Regulations 2009
78. The Armed Forces (Forfeitures and Deductions) Regulations 2009
79. The Civil Jurisdiction and Judgments Regulations 2009
80. The International Recovery of Maintenance (Hague Convention 2007 etc.) Regulations 2012
81. The International Recovery of Maintenance (Hague Convention 2007 etc.) Regulations (Northern Ireland) 2012

PART 4

Treaty rights and obligations

82. The 1968 Convention, the Lugano Conventions and the EC-Denmark Agreement

PART 5

Revocation of retained direct EU legislation

83. Council Decision of 28 May 2001 (2001/470/EC)
84. Council Regulation (EC) No 44/2001
85. Council Decision of 20 September 2005 (2005/790/EC)
86. Council Decision of 27 April 2006 (2006/325/EC)
87. Council Decision of 15 October 2007 (2007/712/EC)
88. Council Decision of 27 November 2008 (2009/430/EC)
89. Regulation (EU) No 1215/2012
90. Regulation (EU) No 542/2014
91. Commission Delegated Regulation (EU) No 2015/281

Part 6

Savings

92. Savings relating to jurisdiction, recognition and enforcement
93. Modifications of relevant instruments and EU-derived domestic legislation saved by regulation 92

Draft Legislation: This is a draft item of legislation. This draft has since been made as a UK Statutory Instrument: *The Civil Jurisdiction and Judgments (Amendment) (EU Exit) Regulations 2019 No. 479*

94. Savings for European Enforcement Orders and European Orders for Payment applied for, and European Small Claims Procedures commenced, before exit day
95. Interpretation of this Part
Signature
Explanatory Note