



Civil Jurisdiction and Judgments Act 1982

CHAPTER 27

CIVIL JURISDICTION AND JUDGMENTS ACT 1982

PART I

IMPLEMENTATION OF THE CONVENTIONS

Main implementing provisions

- 1 Interpretation of references to the Conventions and Contracting States.
- 2 The Brussels Conventions to have the force of law.
- 3 Interpretation of the Brussels Conventions.
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- 3B Interpretation of the Lugano Convention.
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Supplementary provisions as to recognition and enforcement of judgments

- 4 Enforcement of judgments other than maintenance orders.
- 4A Enforcement of judgments, other than maintenance orders, under the Lugano Convention
- 4B Registration and enforcement of judgments under the 2005 Hague Convention
- 5 Recognition and enforcement of maintenance orders.
- 5A Recognition and enforcement of maintenance orders under the Lugano Convention
- 6 Appeals under Article 37, second paragraph and Article 41.
- 6A Appeals under Article 44 and Annex IV of the Lugano Convention
- 6B Appeals in relation to registration of judgments under the 2005 Hague Convention

Changes to legislation: There are currently no known outstanding effects for the Civil Jurisdiction and Judgments Act 1982. (See end of Document for details)

- 7 Interest on registered judgments.
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Other supplementary provisions

- 9 Provisions supplementary to Article 26 of the 2005 Hague Convention.
- 10 Allocation within U.K. of jurisdiction with respect to trusts and consumer contracts.
- 11 Proof and admissibility of certain judgments and related documents.
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- 12 Provision for issue of copies of, and certificates in connection with, U.K. judgments.
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- 20 Rules as to jurisdiction in Scotland.
- 21 Continuance of certain existing jurisdictions.
- 22 Supplementary provisions.
- 23 Savings and consequential amendments.

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- 24 Interim relief and protective measures in cases of doubtful jurisdiction.
- 25 Interim relief in England and Wales and Northern Ireland in the absence of substantive proceedings.
- 26 Security in Admiralty proceedings in England and Wales or Northern Ireland in case of stay, etc.

Changes to legislation: There are currently no known outstanding effects for the Civil Jurisdiction and Judgments Act 1982. (See end of Document for details)

- 27 Provisional and protective measures in Scotland in the absence of substantive proceedings.
- 28 Application of s. 1 of Administration of Justice (Scotland) Act 1972.
- 29 Service of county court process outside Northern Ireland.
- 30 Proceedings in England and Wales or Northern Ireland for torts to immovable property.

Provisions relating to recognition and enforcement of judgments

- 31 Overseas judgments given against states, etc.
- 32 Overseas judgments given in proceedings brought in breach of agreement for settlement of disputes.
- 33 Certain steps not to amount to submission to jurisdiction of overseas court.
- 34 Certain judgments a bar to further proceedings on the same cause of action.
- 35 Minor amendments relating to overseas judgments.
- 36 Registration of maintenance orders in Northern Ireland.
- 37 Minor amendments relating to maintenance orders.
- 38 Overseas judgments counteracting an award of multiple damages.

*Jurisdiction, and recognition and enforcement of judgments,
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- 39 Application of provisions corresponding to 1968 Convention in relation to certain territories.

Legal aid

- 40 Power to modify enactments relating to legal aid etc.

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- 41 Domicile of individuals.
- 41A Domicile of individuals for the purposes of the Lugano Convention
- 42 Domicile and seat of corporation or association.
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- 44 Persons deemed to be domiciled in the United Kingdom for certain purposes.
- 44A Persons deemed to be domiciled in the United Kingdom for certain purposes of the Lugano Convention
- 45 Domicile of trusts.
- 46 Domicile and seat of the Crown.

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Changes to legislation: There are currently no known outstanding effects for the
Civil Jurisdiction and Judgments Act 1982. (See end of Document for details)

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49 Saving for powers to stay, sist, strike out or dismiss proceedings.

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- 50 Interpretation: general.
51 Application to Crown.
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53 Commencement, transitional provisions and savings.
54 Repeals.
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- 1
2
3
4

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GENERAL PROVISIONS

Article 2

Article 3

Article 4

SECTION 2

SPECIAL JURISDICTION

Article 5

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SECTION 3

JURISDICTION IN MATTERS RELATING TO INSURANCE

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Article 8

Article 9

Article 10

Article 11

Article 12

Article 12a

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Article 13

Article 14

Article 15

SECTION 5

EXCLUSIVE JURISDICTION

Article 16

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LIS PENDENS—RELATED ACTIONS

Changes to legislation: There are currently no known outstanding effects for the
Civil Jurisdiction and Judgments Act 1982. (See end of Document for details)

Article 21

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Article 24

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Article 27

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2
3
4
5

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Article 29

Article 30

SECTION 2

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2

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Changes to legislation: There are currently no known outstanding effects for the
Civil Jurisdiction and Judgments Act 1982. (See end of Document for details)

Article 50

Article 51

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- 2
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Article 56

Article 57

- 1
- 2
- 3

Article 58

Article 59

- 1
- 2

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Changes to legislation: There are currently no known outstanding effects for the Civil Jurisdiction and Judgments Act 1982. (See end of Document for details)

Article 60

Article 61

Article 62

Article 63

Article 64

Article 65

Article 66

Article 67

Article 68

— ANNEXED PROTOCOL

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Article II

Article III

Article IV

Article V

Article Va

Article Vb

Article Vc

Article Vd

Article Ve

Article VI

SCHEDULE 2 — TEXT OF 1971 PROTOCOL, AS AMENDED

— ARTICLE 1 THE COURT OF JUSTICE OF THE EUROPEAN COMMUNITIES...

ARTICLE 1 THE COURT OF JUSTICE OF THE EUROPEAN COMMUNITIES...

.....
.....
.....
.....

Changes to legislation: There are currently no known outstanding effects for the
Civil Jurisdiction and Judgments Act 1982. (See end of Document for details)

.....

ARTICLE 2 THE FOLLOWING COURTS MAY REQUEST THE COURT OF...

1
—

- 2
2 The courts of the Contracting States when they are sitting...
3 In the cases provided for in Article 37 of the...

ARTICLE 3 WHERE A QUESTION OF INTERPRETATION OF THE CONVENTION OR OF...

- 1 Where a question of interpretation of the Convention or of...
2 Where such a question is raised before any court referred...

ARTICLE 4 THE COMPETENT AUTHORITY OF A CONTRACTING STATE MAY REQUEST THE...

- 1 The competent authority of a Contracting State may request the...
2 The interpretation given by the Court of Justice in response...
3 The Procurators-General of the Courts of Cassation of the Contracting...
4 The Registrar of the Court of Justice shall give notice...
5 No fees shall be levied or any costs or expenses...

ARTICLE 5 EXCEPT WHERE THIS PROTOCOL
OTHERWISE PROVIDES, THE PROVISIONS OF THE...

- 1 Except where this Protocol otherwise provides, the provisions of the...
2 The Rules of Procedure of the Court of Justice shall,...

ARTICLE 6 [DELETED]

.....

ARTICLE 7 THIS PROTOCOL SHALL BE RATIFIED BY THE SIGNATORY...

.....

ARTICLE 8 THIS PROTOCOL SHALL ENTER INTO FORCE ON THE...

.....

ARTICLE 9 THE CONTRACTING STATES RECOGNISE THAT ANY STATE WHICH...

.....

ARTICLE 10 THE SECRETARY-GENERAL OF THE COUNCIL OF THE EUROPEAN...

.....

ARTICLE 11 THE CONTRACTING STATES SHALL
COMMUNICATE TO THE SECRETARY-GENERAL...

.....

ARTICLE 12 THIS PROTOCOL IS CONCLUDED FOR AN UNLIMITED PERIOD....

.....

ARTICLE 13 ANY CONTRACTING STATE MAY REQUEST THE REVISION OF...

.....

ARTICLE 14 THIS PROTOCOL, DRAWN UP IN A SINGLE ORIGINAL...

.....

SCHEDULE 3 — TEXT OF TITLES V AND VI OF THE ACCESSION
CONVENTION, AS AMENDED
TITLE V — TRANSITIONAL PROVISIONS

Article 34

- 1 The 1968 Convention and the 1971 Protocol, with the amendments...
- 2 However, as between the six Contracting States to the 1968...
- 3 Moreover, as between the six Contracting States to the 1968...

Article 35

Article 36

TITLE VI — FINAL PROVISIONS

Article 37

.....

Article 38

.....

Article 39

.....

Changes to legislation: There are currently no known outstanding effects for the Civil Jurisdiction and Judgments Act 1982. (See end of Document for details)

Article 40

.....

Article 41

.....

SCHEDULE 3A — TEXT OF TITLES V AND VI OF 1982 ACCESSION
CONVENTION

TITLE V — TRANSITIONAL PROVISIONS

Article 12

1
2

TITLE VI — FINAL PROVISIONS

Article 13

.....

Article 14

.....

Article 15

.....

Article 16

.....

Article 17

.....

SCHEDULE 3B — TEXT OF TITLES VI AND VII OF 1989 ACCESSION
CONVENTION

TITLE VI — TRANSITIONAL PROVISIONS

Article 29

- 1 The 1968 Convention and the 1971 Protocol, as amended by...
- 2 However, judgments given after the date of entry into force...

TITLE VII — FINAL PROVISIONS

Article 30

- 1 The Secretary-General of the Council of the European Communities shall...
- 2 The texts of the 1968 Convention, of the 1971 Protocol,...

Article 31

.....

Changes to legislation: There are currently no known outstanding effects for the Civil Jurisdiction and Judgments Act 1982. (See end of Document for details)

Article 32

- 1 This Convention shall enter into force on the first day...
- 2 This Convention shall take effect in relation to any other...

Article 33

.....

Article 34

.....

SCHEDULE 3BB — TEXT OF TITLES V AND VI OF 1996 ACCESSION
CONVENTION
TITLE V — TRANSITIONAL PROVISIONS

ARTICLE 13

- 1 The 1968 Convention and the 1971 Protocol, as amended by...
 - 2 However, judgments given after the date of entry into force...
- TITLE VI — FINAL PROVISIONS

ARTICLE 14

- 1 The Secretary-General of the Council of the European Union shall...
- 2 The texts of the 1968 Convention, of the 1971 Protocol,...

Article 15 This Convention shall be ratified by the signatory...

.....

Article 16 This Convention shall enter into force on the first day...

- 1 This Convention shall enter into force on the first day...
- 2 This Convention shall produce its effects for any other signatory...

Article 17 The Secretary-General of the Council of the European...

.....

Article 18 This Convention, drawn up in a single original...

.....

Schedule 3C —

Arrangement of Provisions

— CONVENTION

ON JURISDICTION AND THE ENFORCEMENT OF
JUDGMENTS IN CIVIL AND COMMERCIAL MATTERS

Preamble

TITLE I — SCOPE

Article 1

TITLE II — JURISDICTION

SECTION 1

GENERAL PROVISIONS

Article 2

Article 3

Persons domiciled in a Contracting State may be sued in...
In particular the following provisions shall not be applicable as...

Article 4

SECTION 2

SPECIAL JURISDICTION

Article 5

- 2 in matters relating to maintenance, in the courts for the...
- 3 in matters relating to tort, delict or quasi-delict, in the...
- 4 as regards a civil claim for damages or restitution which...
- 5 as regards a dispute arising out of the operations of...
- 6 in his capacity as settlor, trustee or beneficiary of a...
- 7 as regards a dispute concerning the payment of remuneration claimed...

Article 6

- 2 as a third party in an action on a warranty...
- 3 on a counterclaim arising from the same contract or facts...
- 4 in matters relating to a contract, if the action may...

Article 6A

SECTION 3

JURISDICTION IN MATTERS RELATING TO INSURANCE

Article 7

Article 8

- 2 in another Contracting State, in the courts for the place...
- 3 if he is a co-insurer, in the courts of a...

Changes to legislation: There are currently no known outstanding effects for the Civil Jurisdiction and Judgments Act 1982. (See end of Document for details)

Article 9

Article 10

Article 11

Article 12

- 2 which allows the policy-holder, the insured or a beneficiary to...
- 3 which is concluded between a policy-holder and an insurer, both...
- 4 which is concluded with a policy-holder who is not domiciled...
- 5 which relates to a contract of insurance in so far...

Article 12A

- 2 any liability, other than for bodily injury to passengers or...
- 3 any financial loss connected with the use or operation of...
- 4 any risk or interest connected with any of those referred...

SECTION 4

JURISDICTION OVER CONSUMER CONTRACTS

Article 13

- 2 a contract for a loan repayable by instalments, or for...
- 3 any other contract for the supply of goods or a...

Article 14

Article 15

- 2 which allows the consumer to bring proceedings in courts other...
- 3 which is entered into by the consumer and the other...

SECTION 5

EXCLUSIVE JURISDICTION

Article 16

- 2 in proceedings which have as their object the validity of...
- 3 in proceedings which have as their object the validity of...
- 4 in proceedings concerned with the registration or validity of patents,...
- 5 in proceedings concerned with the enforcement of judgments, the courts...

SECTION 6

PROROGATION OF JURISDICTION

Article 17

- 2 The court or courts of a Contracting State on which...
- 3 Agreements or provisions of a trust instrument conferring jurisdiction shall...

Changes to legislation: There are currently no known outstanding effects for the Civil Jurisdiction and Judgments Act 1982. (See end of Document for details)

- 4 If an agreement conferring jurisdiction was concluded for the benefit...
- 5 In matters relating to individual contracts of employment an agreement...

Article 18

SECTION 7

EXAMINATION AS TO JURISDICTION AND ADMISSIBILITY

Article 19

Article 20

SECTION 8

LIS PENDENS—RELATED ACTIONS

Article 21

Article 22

Article 23

SECTION 9

PROVISIONAL, INCLUDING PROTECTIVE, MEASURES

Article 24

TITLE III — RECOGNITION AND ENFORCEMENT

Article 25

SECTION 1

RECOGNITION

Article 26

Article 27

- 2 where it was given in default of appearance, if the...
- 3 if the judgment is irreconcilable with a judgment given in...
- 4 if the court of the State of origin, in order...
- 5 if the judgment is irreconcilable with an earlier judgment given...

Changes to legislation: There are currently no known outstanding effects for the Civil Jurisdiction and Judgments Act 1982. (See end of Document for details)

Article 28

Article 29

Article 30

SECTION 2

ENFORCEMENT

Article 31

Article 32

- 1 The application shall be submitted: — in Belgium, to the...
- 2 The jurisdiction of local courts shall be determined by reference...

Article 33

Article 34

Article 35

Article 36

Article 37

- 1 An appeal against the decision authorising enforcement shall be lodged...
- 2 The judgment given on the appeal may be contested only:...

Article 38

Article 39

Article 40

- 1 If the application for enforcement is refused, the applicant may...
- 2 The party against whom enforcement is sought shall be summoned...

Article 41

A judgment given on an appeal provided for in Article...

Article 42

Article 43

Article 44

Article 45

SECTION 3

COMMON PROVISIONS

Article 46

- 2 in the case of a judgment given in default, the...

Article 47

- 2 where appropriate, a document showing that the applicant is in...

Article 48

Article 49

TITLE IV — AUTHENTIC INSTRUMENTS AND COURT SETTLEMENTS

Article 50

Article 51

TITLE V — GENERAL PROVISIONS

Article 52

Article 53

TITLE VI — TRANSITIONAL PROVISIONS

Article 54

Article 54A

- 2 A claimant may arrest either the particular ship to which...
3 Ships shall be deemed to be in the same ownership...
4 When in the case of a charter by demise of...
5 The expression “maritime claim” means a claim arising out of...
7 In Iceland, the expression “arrest” shall be deemed, as regards...
TITLE VII — RELATIONSHIP TO THE BRUSSELS CONVENTION AND
TO OTHER CONVENTIONS

Article 54B

- 2 However, this Convention shall in any event be applied:
3 In addition to the grounds provided for in Title III...

Article 55

Article 56

Article 57

- 2 This Convention shall not prevent a court of a Contracting...
3 Judgments given in a Contracting State by a court in...
4 In addition to the grounds provided for in Title III,...
5 Where a convention referred to in the first paragraph to...

Changes to legislation: There are currently no known outstanding effects for the Civil Jurisdiction and Judgments Act 1982. (See end of Document for details)

Article 58

(None)

Article 59

TITLE VIII — FINAL PROVISIONS

Article 60

The following may be parties to this Convention: States which,...

Article 61

- 2 The Convention shall be submitted for ratification by the signatory...
- 3 The Convention shall enter into force on the first day...
- 4 The Convention shall take effect in relation to any other...

Article 62

- 2 If an acceding State wishes to furnish details for the...
- 3 In respect of an acceding State, the Convention shall take...
- 4 However, in respect of an acceding State referred to in...

Article 63

Article 64

- 2 At the end of the initial five-year period, the Convention...
- 3 Upon the expiry of the initial five-year period, any Contracting...
- 4 The denunciation shall take effect at the end of the...

Article 65

The following are annexed to this Convention: — a Protocol...

Article 66

Article 67

The Swiss Federal Council shall notify the States represented at...

Article 68

PROTOCOL NO. 1

ON CERTAIN QUESTIONS OF JURISDICTION, PROCEDURE AND ENFORCEMENT

Article I

Article Ia

- 2 This reservation shall not apply to the extent that at...
- 3 This reservation shall cease to have effect on 31 December...

Changes to legislation: There are currently no known outstanding effects for the Civil Jurisdiction and Judgments Act 1982. (See end of Document for details)

Article Ib

Article II

Article III

Article IV

Article V

Article Va

Article Vb

Article Vc

(None)

Article Vd

Article VI

PROTOCOL NO. 2

ON THE UNIFORM INTERPRETATION OF THE CONVENTION

Preamble

Article 1

Article 2

- 2 The central body is the Registrar of the Court of...

Article 3

- 2 The Committee shall be composed of representatives appointed by each...
- 3 The European Communities (Commission, Court of Justice and General Secretariat...

Article 4

- 2 The Committee, in the light of these exchanges, may also...

PROTOCOL NO. 3

ON THE APPLICATION OF ARTICLE 57

- 2 If one Contracting State is of the opinion that a...

SCHEDULE 3D — Text of the 1996 Hague Convention
— CONVENTION ON JURISDICTION, APPLICABLE LAW,
RECOGNITION, ENFORCEMENT AND CO-OPERATION IN RESPECT

Changes to legislation: There are currently no known outstanding effects for the Civil Jurisdiction and Judgments Act 1982. (See end of Document for details)

OF PARENTAL RESPONSIBILITY AND MEASURES FOR THE PROTECTION OF CHILDREN

(Concluded 19 October 1996)

The States signatory to the present Convention,
Considering the need to improve the protection of children in...
Wishing to avoid conflicts between their legal systems in respect...
Recalling the importance of international co-operation for the protection
of...
Confirming that the best interests of the child are to...
Noting that the Convention of 5 October 1961 concerning the...
Desiring to establish common provisions to this effect, taking into...
Have agreed on the following provisions—

CHAPTER I

SCOPE OF THE CONVENTION

Article 1

- 1 The objects of the present Convention are—
- 2 For the purposes of this Convention, the term ‘parental responsibility’...

Article 2

The Convention applies to children from the moment of their...

Article 3

The measures referred to in Article 1 may deal in...

Article 4

The Convention does not apply to— (a) the establishment or...

CHAPTER II

JURISDICTION

Article 5

- 1 The judicial or administrative authorities of the Contracting State of...
- 2 Subject to Article 7, in case of a change of...

Article 6

- 1 For refugee children and children who, due to disturbances occurring...
- 2 The provisions of the preceding paragraph also apply to children...

Article 7

- 1 In case of wrongful removal or retention of the child,...
- 2 The removal or the retention of a child is to...
- 3 So long as the authorities first mentioned in paragraph 1...

Article 8

- 1 By way of exception, the authority of a Contracting State...
- 2 The Contracting States whose authorities may be addressed as provided...
- 3 The authorities concerned may proceed to an exchange of views....
- 4 The authority addressed as provided in paragraph 1 may assume...

Article 9

- 1 If the authorities of a Contracting State referred to in...
- 2 The authorities concerned may proceed to an exchange of views....
- 3 The authority initiating the request may exercise jurisdiction in place...

Article 10

- 1 Without prejudice to Articles 5 to 9, the authorities of...
- 2 The jurisdiction provided for by paragraph 1 to take measures...

Article 11

- 1 In all cases of urgency, the authorities of any Contracting...
- 2 The measures taken under the preceding paragraph with regard to...
- 3 The measures taken under paragraph 1 with regard to a...

Article 12

- 1 Subject to Article 7, the authorities of a Contracting State...
- 2 The measures taken under the preceding paragraph with regard to...
- 3 The measures taken under paragraph 1 with regard to a...

Article 13

- 1 The authorities of a Contracting State which have jurisdiction under...
- 2 The provisions of the preceding paragraph shall not apply if...

Article 14

The measures taken in application of Articles 5 to 10...

CHAPTER III

APPLICABLE LAW

Article 15

- 1 In exercising their jurisdiction under the provisions of Chapter II,...
- 2 However, in so far as the protection of the person...
- 3 If the child's habitual residence changes to another Contracting State,...

Article 16

- 1 The attribution or extinction of parental responsibility by operation of...
- 2 The attribution or extinction of parental responsibility by an agreement...
- 3 Parental responsibility which exists under the law of the State...
- 4 If the child's habitual residence changes, the attribution of parental...

Article 17

The exercise of parental responsibility is governed by the law...

Article 18

The parental responsibility referred to in Article 16 may be...

Article 19

- 1 The validity of a transaction entered into between a third...
- 2 The preceding paragraph applies only if the transaction was entered...

Article 20

The provisions of this Chapter apply even if the law...

Article 21

- 1 In this Chapter the term “ law ” means the...
- 2 However, if the law applicable according to Article 16 is...

Article 22

The application of the law designated by the provisions of...

CHAPTER IV

RECOGNITION AND ENFORCEMENT

Article 23

- 1 The measures taken by the authorities of a Contracting State...
- 2 Recognition may however be refused— (a) if the measure was...

Article 24

- 1 Without prejudice to Article 23, paragraph 1, any interested person...

Article 25

The authority of the requested State is bound by the...

Article 26

- 1 If measures taken in one Contracting State and enforceable there...
- 2 Each Contracting State shall apply to the declaration of enforceability...
- 3 The declaration of enforceability or registration may be refused only...

Article 27

Without prejudice to such review as is necessary in the...

Article 28

Measures taken in one Contracting State and declared enforceable, or...

CHAPTER V

CO-OPERATION

Article 29

- 1 A Contracting State shall designate a Central Authority to discharge...
- 2 Federal States, States with more than one system of law...

Article 30

- 1 Central Authorities shall co-operate with each other and promote co-operation...
- 2 They shall, in connection with the application of the Convention,...

Article 31

- 1 The Central Authority of a Contracting State, either directly or...

Article 32

On a request made with supporting reasons by the Central...

Article 33

- 1 If an authority having jurisdiction under Articles 5 to 10...

Changes to legislation: There are currently no known outstanding effects for the Civil Jurisdiction and Judgments Act 1982. (See end of Document for details)

- 2 The decision on the placement or provision of care may...

Article 34

- 1 Where a measure of protection is contemplated, the competent authorities...
- 2 A Contracting State may declare that requests under paragraph 1...

Article 35

- 1 The competent authorities of a Contracting State may request the...
- 2 The authorities of a Contracting State in which the child...
- 3 An authority having jurisdiction under Articles 5 to 10 to...
- 4 Nothing in this Article shall prevent an authority having jurisdiction...

Article 36

In any case where the child is exposed to a...

Article 37

An authority shall not request or transmit any information under...

Article 38

- 1 Without prejudice to the possibility of imposing reasonable charges for...
- 2 Any Contracting State may enter into agreements with one or...

Article 39

Any Contracting State may enter into agreements with one or...

CHAPTER VI

GENERAL PROVISIONS

Article 40

- 1 The authorities of the Contracting State of the child's habitual...
- 2 The capacity and powers indicated in the certificate are presumed...
- 3 Each Contracting State shall designate the authorities competent to draw...

Article 41

Personal data gathered or transmitted under the Convention shall be...

Article 42

The authorities to whom information is transmitted shall ensure its...

Article 43

All documents forwarded or delivered under this Convention shall be...

Article 44

Each Contracting State may designate the authorities to which requests...

Article 45

- 1 The designations referred to in Articles 29 and 44 shall...
- 2 The declaration referred to in Article 34, paragraph 2, shall...

Article 46

A Contracting State in which different systems of law or...

Article 47

In relation to a State in which two or more...

Article 48

For the purpose of identifying the applicable law under Chapter...

Article 49

For the purpose of identifying the applicable law under Chapter...

Article 50

This Convention shall not affect the application of the Convention...

Article 51

In relations between the Contracting States this Convention replaces the...

Article 52

- 1 This Convention does not affect any international instrument to which...
- 2 This Convention does not affect the possibility for one or...

Changes to legislation: There are currently no known outstanding effects for the Civil Jurisdiction and Judgments Act 1982. (See end of Document for details)

- 3 Agreements to be concluded by one or more Contracting States...
- 4 The preceding paragraphs also apply to uniform laws based on...

Article 53

- 1 The Convention shall apply to measures only if they are...
- 2 The Convention shall apply to the recognition and enforcement of...

Article 54

- 1 Any communication sent to the Central Authority or to another...
- 2 However, a Contracting State may, by making a reservation in...

Article 55

- 1 A Contracting State may, in accordance with Article 60,
- 2 The reservation may be restricted to certain categories of property....

Article 56

The Secretary General of the Hague Conference on Private International...

CHAPTER VII

FINAL CLAUSES

Article 57

- 1 The Convention shall be open for signature by the States...
- 2 It shall be ratified, accepted or approved and the instruments...

Article 58

- 1 Any other State may accede to the Convention after it...
- 2 The instrument of accession shall be deposited with the depositary....
- 3 Such accession shall have effect only as regards the relations...

Article 59

- 1 If a State has two or more territorial units in...
- 2 Any such declaration shall be notified to the depositary and...
- 3 If a State makes no declaration under this Article, the...

Article 60

- 1 Any State may, not later than the time of ratification,...
- 2 Any State may at any time withdraw a reservation it...
- 3 The reservation shall cease to have effect on the first...

Article 61

- 1 The Convention shall enter into force on the first day...
- 2 Thereafter the Convention shall enter into force—

Article 62

- 1 A State Party to the Convention may denounce it by...
- 2 The denunciation takes effect on the first day of the...

Article 63

The depositary shall notify the States Members of the Hague...
In witness whereof the undersigned, being duly authorised thereto,
have...
Done at The Hague, on the 19th day of October...

SCHEDULE 3E — Declarations made by the United Kingdom in relation to the 1996 Hague Convention

PART 1 — DECLARATION CONCERNING APPLICABLE TERRITORIAL UNITS
In accordance with Article 29, paragraph 2, of the Convention,...

PART 2 — DECLARATION CONCERNING COMMUNICATION OF REQUESTS
UNDER PARAGRAPH 1 OF ARTICLE 34

In accordance with Article 34, paragraph 2, of the Convention,...

PART 3 — DECLARATION CONCERNING THE USE OF FRENCH
In accordance with Article 54, paragraph 2, of the Convention,...

SCHEDULE 3F — Text of the 2005 Hague Convention — CONVENTION ON CHOICE OF COURT AGREEMENTS (Concluded 30 June 2005)

The States Parties to the present Convention,
Desiring to promote international trade and investment through
enhanced judicial...
Believing that such co-operation can be enhanced by uniform rules...
Believing that such enhanced co-operation requires in particular an
international...
Have resolved to conclude this Convention and have agreed upon...

CHAPTER I

SCOPE AND DEFINITIONS

ARTICLE 1

Scope

- 1 This Convention shall apply in international cases to exclusive choice...
- 2 For the purposes of Chapter II, a case is international...
- 3 For the purposes of Chapter III, a case is international...

Changes to legislation: There are currently no known outstanding effects for the Civil Jurisdiction and Judgments Act 1982. (See end of Document for details)

Article 2

Exclusions from scope

- 1 This Convention shall not apply to exclusive choice of court...
- 2 This Convention shall not apply to the following matters—
- 3 Notwithstanding paragraph 2, proceedings are not excluded from the scope...
- 4 This Convention shall not apply to arbitration and related proceedings....
- 5 Proceedings are not excluded from the scope of this Convention...
- 6 Nothing in this Convention shall affect privileges and immunities of...

Article 3

Exclusive choice of court agreements

For the purposes of this Convention— (a) “exclusive choice...

Article 4

Other definitions

- 1 In this Convention, “ judgment ” means any decision on...
- 2 For the purposes of this Convention, an entity or person...

CHAPTER II

JURISDICTION

Article 5

Jurisdiction of the chosen court

- 1 The court or courts of a Contracting State designated in...
- 2 A court that has jurisdiction under paragraph 1 shall not...
- 3 The preceding paragraphs shall not affect rules—

Article 6

Obligations of a court not chosen

A court of a Contracting State other than that of...

Article 7

Interim measures of protection

Interim measures of protection are not governed by this Convention....

CHAPTER III

RECOGNITION AND ENFORCEMENT

Changes to legislation: There are currently no known outstanding effects for the Civil Jurisdiction and Judgments Act 1982. (See end of Document for details)

Article 8

Registration and enforcement

- 1 A judgment given by a court of a Contracting State...
- 2 Without prejudice to such review as is necessary for the...
- 3 A judgment shall be recognised only if it has effect...
- 4 Recognition or enforcement may be postponed or refused if the...
- 5 This Article shall also apply to a judgment given by...

Article 9

Refusal of recognition or enforcement

Recognition or enforcement may be refused if—

Article 10

Preliminary questions

- 1 Where a matter excluded under Article 2, paragraph 2, or...
- 2 Recognition or enforcement of a judgment may be refused if,...
- 3 However, in the case of a ruling on the validity...
- 4 Recognition or enforcement of a judgment may be refused if,...

Article 11

Damages

- 1 Recognition or enforcement of a judgment may be refused if,...
- 2 The court addressed shall take into account whether and to...

Article 12

Judicial settlements (transactions judiciaires)

Judicial settlements (transactions judiciaires) which a court of...

Article 13

Documents to be produced

- 1 The party seeking recognition or applying for enforcement shall produce
—...
- 2 If the terms of the judgment do not permit the...
- 3 An application for recognition or enforcement may be accompanied by...
- 4 If the documents referred to in this Article are not...

Article 14

Procedure

The procedure for recognition, declaration of enforceability or registration for...

Article 15

Severability

Recognition or enforcement of a severable part of a judgment...

CHAPTER IV

GENERAL CLAUSES

Article 16

Transitional provisions

- 1 This Convention shall apply to exclusive choice of court agreements...
- 2 This Convention shall not apply to proceedings instituted before its...

Article 17

Contracts of insurance and reinsurance

- 1 Proceedings under a contract of insurance or reinsurance are not...
- 2 Recognition and enforcement of a judgment in respect of liability...

Article 18

No legalisation

All documents forwarded or delivered under this Convention shall be...

Article 19

Declarations limiting jurisdiction

A State may declare that its courts may refuse to...

Article 20

Declarations limiting recognition and enforcement

A State may declare that its courts may refuse to...

Article 21

Declarations with respect to specific matters

- 1 Where a State has a strong interest in not applying...
- 2 With regard to that matter, the Convention shall not apply—...

Article 22

Reciprocal declarations on non-exclusive choice of court agreements

- 1 A Contracting State may declare that its courts will recognise...
- 2 Where recognition or enforcement of a judgment given in a...

Article 23

Uniform interpretation

In the interpretation of this Convention, regard shall be had...

Article 24

Review of operation of the Convention

The Secretary General of the Hague Conference on Private International...

Article 25

Non-unified legal systems

- 1 In relation to a Contracting State in which two or...
- 2 Notwithstanding the preceding paragraph, a Contracting State with two or...
- 3 A court in a territorial unit of a Contracting State...
- 4 This Article shall not apply to a Regional Economic Integration...

Article 26

Relationship with other international instruments

- 1 This Convention shall be interpreted so far as possible to...
- 2 This Convention shall not affect the application by a Contracting...
- 3 This Convention shall not affect the application by a Contracting...
- 4 This Convention shall not affect the application by a Contracting...
- 5 This Convention shall not affect the application by a Contracting...
- 6 This Convention shall not affect the application of the rules...

CHAPTER V

FINAL CLAUSES

Article 27

Signature, ratification, acceptance, approval or accession

- 1 This Convention is open for signature by all States.
- 2 This Convention is subject to ratification, acceptance or approval by...
- 3 This Convention is open for accession by all States.
- 4 Instruments of ratification, acceptance, approval or accession shall be deposited...

Article 28

Declarations with respect to non-unified legal systems

- 1 If a State has two or more territorial units in...
- 2 A declaration shall be notified to the depositary and shall...
- 3 If a State makes no declaration under this Article, the...
- 4 This Article shall not apply to a Regional Economic Integration...

Changes to legislation: There are currently no known outstanding effects for the Civil Jurisdiction and Judgments Act 1982. (See end of Document for details)

Article 29

Regional Economic Integration Organisations

- 1 A Regional Economic Integration Organisation which is constituted solely by...
- 2 The Regional Economic Integration Organisation shall, at the time of...
- 3 For the purposes of the entry into force of this...
- 4 Any reference to a “Contracting State” or “State” in this...

Article 30

Accession by a Regional Economic Integration Organisation without its Member States

- 1 At the time of signature, acceptance, approval or accession, a...
- 2 In the event that a declaration is made by a...

Article 31

Entry into force

- 1 This Convention shall enter into force on the first day...
- 2 Thereafter this Convention shall enter into force—

Article 32

Declarations

- 1 Declarations referred to in Articles 19, 20, 21, 22 and...
- 2 Declarations, modifications and withdrawals shall be notified to the depositary....
- 3 A declaration made at the time of signature, ratification, acceptance,...
- 4 A declaration made at a subsequent time, and any modification...
- 5 A declaration under Articles 19, 20, 21 and 26 shall...

Article 33

Denunciation

- 1 This Convention may be denounced by notification in writing to...
- 2 The denunciation shall take effect on the first day of...

Article 34

Notifications by the depositary

The depositary shall notify the Members of the Hague Conference...
In witness whereof the undersigned, being duly authorised thereto,
have...
Done at The Hague, on 30 June 2005, in the...

SCHEDULE 3FA — DECLARATIONS MADE BY THE UNITED KINGDOM IN
RELATION TO THE 2005 HAGUE CONVENTION
DECLARATIONS CONCERNING INSURANCE CONTRACTS

SCHEDULE 3G — Text of the 2007 Hague Convention

Changes to legislation: There are currently no known outstanding effects for the
Civil Jurisdiction and Judgments Act 1982. (See end of Document for details)

— CONVENTION ON THE INTERNATIONAL RECOVERY OF CHILD
SUPPORT AND OTHER FORMS OF FAMILY MAINTENANCE
(Concluded 23 November 2007)
The States signatory to the present Convention,
Desiring to improve co-operation among States for the international
recovery...
Aware of the need for procedures which produce results and...
Seeking to take advantage of advances in technologies and to...
Recalling that, in accordance with Articles 3 and 27 of...
Have resolved to conclude this Convention and have agreed upon...

CHAPTER I

OBJECT, SCOPE AND DEFINITIONS

Article 1

Object

The object of the present Convention is to ensure the...

Article 2

Scope

- 1 This Convention shall apply— (a) to maintenance obligations arising from...
- 2 Any Contracting State may reserve, in accordance with Article 62,...
- 3 Any Contracting State may declare in accordance with Article 63...
- 4 The provisions of this Convention shall apply to children regardless...

Article 3

Definitions

For the purposes of this Convention— (a) “ creditor ”...

CHAPTER II

ADMINISTRATIVE CO-OPERATION

Article 4

Designation of Central Authorities

- 1 A Contracting State shall designate a Central Authority to discharge...
- 2 Federal States, States with more than one system of law...
- 3 The designation of the Central Authority or Central Authorities, their...

Article 5

General functions of Central Authorities

Central Authorities shall— (a) co-operate with each other and promote...

Changes to legislation: There are currently no known outstanding effects for the Civil Jurisdiction and Judgments Act 1982. (See end of Document for details)

Article 6

Specific functions of Central Authorities

- 1 Central Authorities shall provide assistance in relation to applications under...
- 2 In relation to such applications they shall take all appropriate...
- 3 The functions of the Central Authority under this Article may,...
- 4 Nothing in this Article or Article 7 shall be interpreted...

Article 7

Requests for specific measures

- 1 A Central Authority may make a request, supported by reasons,...
- 2 A Central Authority may also take specific measures on the...

Article 8

Central Authority costs

- 1 Each Central Authority shall bear its own costs in applying...
- 2 Central Authorities may not impose any charge on an applicant...
- 3 The requested Central Authority may not recover the costs of...

CHAPTER III

APPLICATIONS THROUGH CENTRAL AUTHORITIES

Article 9

Application through Central Authorities

An application under this Chapter shall be made through the...

Article 10

Available applications

- 1 The following categories of application shall be available to a...
- 2 The following categories of application shall be available to a...
- 3 Save as otherwise provided in this Convention, the applications in...

Article 11

Application contents

- 1 All applications under Article 10 shall as a minimum include—...
- 2 As appropriate, and to the extent known, the application shall...
- 3 The application shall be accompanied by any necessary supporting information...
- 4 An application under Article 10 may be made in the...

Article 12

Transmission, receipt and processing of applications and cases through Central Authorities

- 1 The Central Authority of the requesting State shall assist the...
- 2 The Central Authority of the requesting State shall, when satisfied...
- 3 The requested Central Authority shall, within six weeks from the...
- 4 Within three months after the acknowledgement, the requested Central Authority...
- 5 Requesting and requested Central Authorities shall keep each other informed...
- 6 Central Authorities shall process a case as quickly as a...
- 7 Central Authorities shall employ the most rapid and efficient means...
- 8 A requested Central Authority may refuse to process an application...
- 9 The requested Central Authority may not reject an application solely...

Article 13

Means of communication

Any application made through Central Authorities of the Contracting States...

Article 14

Effective access to procedures

- 1 The requested State shall provide applicants with effective access to...
- 2 To provide such effective access, the requested State shall provide...
- 3 The requested State shall not be obliged to provide such...
- 4 Entitlements to free legal assistance shall not be less than...
- 5 No security, bond or deposit, however described, shall be required...

Article 15

Free legal assistance for child support applications

- 1 The requested State shall provide free legal assistance in respect...
- 2 Notwithstanding paragraph 1, the requested State may, in relation to...

Article 16

Declaration to permit use of child-centred means test

- 1 Notwithstanding Article 15(1), a State may declare, in accordance with...
- 2 A State shall, at the time of making such a...
- 3 An application referred to in paragraph 1, addressed to a...
- 4 If the most favourable legal assistance provided for by the...

Article 17

Applications not qualifying under Article 15 or Article 16

In the case of all applications under this Convention other...

CHAPTER IV

RESTRICTIONS ON BRINGING PROCEEDINGS

Article 18

Limit on proceedings

- 1 Where a decision is made in a Contracting State where...
- 2 Paragraph 1 shall not apply— (a) where, except in disputes...

CHAPTER V

RECOGNITION AND ENFORCEMENT

Article 19

Scope of the Chapter

- 1 This Chapter shall apply to a decision rendered by a...
- 2 If a decision does not relate solely to a maintenance...
- 3 For the purpose of paragraph 1, “ administrative authority ”...
- 4 This Chapter also applies to maintenance arrangements in accordance with...
- 5 The provisions of this Chapter shall apply to a request...

Article 20

Bases for recognition and enforcement

- 1 A decision made in one Contracting State (“the State of...
- 2 A Contracting State may make a reservation, in accordance with...
- 3 A Contracting State making a reservation under paragraph 2 shall...
- 4 A Contracting State shall, if recognition of a decision is...
- 5 A decision in favour of a child under the age...
- 6 A decision shall be recognised only if it has effect...

Article 21

Severability and partial recognition and enforcement

- 1 If the State addressed is unable to recognise or enforce...
- 2 Partial recognition or enforcement of a decision can always be...

Article 22

Grounds for refusing recognition and enforcement

Recognition and enforcement of a decision may be refused if—...

Article 23

Procedure on an application for recognition and enforcement

- 1 Subject to the provisions of the Convention, the procedures for...
- 2 Where an application for recognition and enforcement of a decision...

Changes to legislation: There are currently no known outstanding effects for the Civil Jurisdiction and Judgments Act 1982. (See end of Document for details)

- 3 Where the request is made directly to a competent authority...
- 4 A declaration or registration may be refused only on the...
- 5 The applicant and the respondent shall be promptly notified of...
- 6 A challenge or an appeal is to be lodged within...
- 7 A challenge or appeal may be founded only on the...
- 8 A challenge or an appeal by a respondent may also...
- 9 The applicant and the respondent shall be promptly notified of...
- 10 A further appeal, if permitted by the law of the...
- 11 In taking any decision on recognition and enforcement, including any...

Article 24

Alternative procedure on an application for recognition and enforcement

- 1 Notwithstanding Article 23(2) to (11), a State may declare, in...
- 2 Where an application for recognition and enforcement of a decision...
- 3 A decision on recognition and enforcement shall be given by...
- 4 The competent authority may review the grounds for refusing recognition...
- 5 A refusal of recognition and enforcement may also be founded...
- 6 Any appeal, if permitted by the law of the State...
- 7 In taking any decision on recognition and enforcement, including any...

Article 25

Documents

- 1 An application for recognition and enforcement under Article 23 or...
- 2 Upon a challenge or appeal under Article 23(7) (c) or...
- 3 A Contracting State may specify in accordance with Article 57—...

Article 26

Procedure on an application for recognition

This Chapter shall apply mutatis mutandis to an application for...

Article 27

Findings of fact

Any competent authority of the State addressed shall be bound...

Article 28

No review of the merits

There shall be no review by any competent authority of...

Article 29

Physical presence of the child or the applicant not required

The physical presence of the child or the applicant shall...

Changes to legislation: There are currently no known outstanding effects for the Civil Jurisdiction and Judgments Act 1982. (See end of Document for details)

Article 30

Maintenance arrangements

- 1 A maintenance arrangement made in a Contracting State shall be...
- 2 For the purpose of Article 10(1) (a) and (b) and...
- 3 An application for recognition and enforcement of a maintenance arrangement...
- 4 Recognition and enforcement of a maintenance arrangement may be refused...
- 5 The provisions of this Chapter, with the exception of Articles...
- 6 Proceedings for recognition and enforcement of a maintenance arrangement shall...
- 7 A State may declare, in accordance with Article 63, that...
- 8 A Contracting State may, in accordance with Article 62, reserve...

Article 31

Decisions produced by the combined effect of provisional and confirmation orders

Where a decision is produced by the combined effect of...

CHAPTER VI

ENFORCEMENT BY THE STATE ADDRESSED

Article 32

Enforcement under internal law

- 1 Subject to the provisions of this Chapter, enforcement shall take...
- 2 Enforcement shall be prompt.
- 3 In the case of applications through Central Authorities, where a...
- 4 Effect shall be given to any rules applicable in the...
- 5 Any limitation on the period for which arrears may be...

Article 33

Non-discrimination

The State addressed shall provide at least the same range...

Article 34

Enforcement measures

- 1 Contracting States shall make available in internal law effective measures...
- 2 Such measures may include— (a) wage withholding;

Article 35

Transfer of funds

- 1 Contracting States are encouraged to promote, including by means of...
- 2 A Contracting State, under whose law the transfer of funds...

CHAPTER VII

PUBLIC BODIES

Article 36

Public bodies as applicants

- 1 For the purposes of applications for recognition and enforcement under...
- 2 The right of a public body to act in place...
- 3 A public body may seek recognition or claim enforcement of—...
- 4 The public body seeking recognition or claiming enforcement of a...

CHAPTER VIII

GENERAL PROVISIONS

Article 37

Direct requests to competent authorities

- 1 The Convention shall not exclude the possibility of recourse to...
- 2 Articles 14(5) and 17 b) and the provisions of Chapters...
- 3 For the purpose of paragraph 2, Article 2(1) a) shall...

Article 38

Protection of personal data

Personal data gathered or transmitted under the Convention shall be...

Article 39

Confidentiality

Any authority processing information shall ensure its confidentiality in accordance...

Article 40

Non-disclosure of information

- 1 An authority shall not disclose or confirm information gathered or...
- 2 A determination to this effect made by one Central Authority...
- 3 Nothing in this Article shall impede the gathering and transmitting...

Article 41

No legalisation

No legalisation or similar formality may be required in the...

Changes to legislation: There are currently no known outstanding effects for the Civil Jurisdiction and Judgments Act 1982. (See end of Document for details)

Article 42

Power of attorney

The Central Authority of the requested State may require a...

Article 43

Recovery of costs

- 1 Recovery of any costs incurred in the application of this...
- 2 A State may recover costs from an unsuccessful party.
- 3 For the purposes of an application under Article 10(1) (b)...
- 4 This Article shall be without prejudice to Article 8.

Article 44

Language requirements

- 1 Any application and related documents shall be in the original...
- 2 A Contracting State which has more than one official language...
- 3 Unless otherwise agreed by the Central Authorities, any other communications...

Article 45

Means and costs of translation

- 1 In the case of applications under Chapter III, the Central...
- 2 The cost of translation arising from the application of paragraph...
- 3 Notwithstanding Article 8, the requesting Central Authority may charge an...

Article 46

Non-unified legal systems—interpretation

- 1 In relation to a State in which two or more...
- 2 This Article shall not apply to a Regional Economic Integration...

Article 47

Non-unified legal systems—substantive rules

- 1 A Contracting State with two or more territorial units in...
- 2 A competent authority in a territorial unit of a Contracting...
- 3 This Article shall not apply to a Regional Economic Integration...

Article 48

Co-ordination with prior Hague Maintenance Conventions

In relations between the Contracting States, this Convention replaces, subject...

Article 49

Co-ordination with the 1956 New York Convention

In relations between the Contracting States, this Convention replaces the...

Article 50

Relationship with prior Hague Conventions on service of documents and taking of evidence

This Convention does not affect the Hague Convention of 1...

Article 51

Co-ordination of instruments and supplementary agreements

- 1 This Convention does not affect any international instrument concluded before...
- 2 Any Contracting State may conclude with one or more Contracting...
- 3 Paragraphs 1 and 2 shall also apply to reciprocity arrangements...
- 4 This Convention shall not affect the application of instruments of...

Article 52

Most effective rule

- 1 This Convention shall not prevent the application of an agreement,...
- 2 This Convention shall not prevent the application of a law...

Article 53

Uniform interpretation

In the interpretation of this Convention, regard shall be had...

Article 54

Review of practical operation of the Convention

- 1 The Secretary General of the Hague Conference on Private International...
- 2 For the purpose of such review, Contracting States shall co-operate...

Article 55

Amendment of forms

- 1 The forms annexed to this Convention may be amended by...
- 2 Amendments adopted by the Contracting States present at the Special...
- 3 During the period provided for in paragraph 2 any Contracting...

Article 56

Transitional provisions

- 1 The Convention shall apply in every case where—

Changes to legislation: There are currently no known outstanding effects for the Civil Jurisdiction and Judgments Act 1982. (See end of Document for details)

- 2 With regard to the recognition and enforcement of decisions between...
- 3 The State addressed shall not be bound under this Convention...

Article 57

Provision of information concerning laws, procedures and services

- 1 A Contracting State, by the time its instrument of ratification...
- 2 Contracting States may, in fulfilling their obligations under paragraph 1,...
- 3 Information shall be kept up to date by the Contracting...

CHAPTER IX

FINAL PROVISIONS

Article 58

Signature, ratification and accession

- 1 The Convention shall be open for signature by the States...
- 2 It shall be ratified, accepted or approved and the instruments...
- 3 Any other State or Regional Economic Integration Organisation may accede...
- 4 The instrument of accession shall be deposited with the depositary....
- 5 Such accession shall have effect only as regards the relations...

Article 59

Regional Economic Integration Organisations

- 1 A Regional Economic Integration Organisation which is constituted solely by...
- 2 The Regional Economic Integration Organisation shall, at the time of...
- 3 At the time of signature, acceptance, approval or accession, a...
- 4 For the purposes of the entry into force of this...
- 5 Any reference to a “Contracting State” or “State” in this...

Article 60

Entry into force

- 1 The Convention shall enter into force on the first day...
- 2 Thereafter the Convention shall enter into force—

Article 61

Declarations with respect to non-unified legal systems

- 1 If a State has two or more territorial units in...
- 2 Any such declaration shall be notified to the depositary and...
- 3 If a State makes no declaration under this Article, the...
- 4 This Article shall not apply to a Regional Economic Integration...

Article 62

Reservations

- 1 Any Contracting State may, not later than the time of...
- 2 Any State may at any time withdraw a reservation it...
- 3 The reservation shall cease to have effect on the first...
- 4 Reservations under this Article shall have no reciprocal effect with...

Article 63

Declarations

- 1 Declarations referred to in Articles 2(3), 11(1) (g), 16(1), 24(1),...
- 2 Declarations, modifications and withdrawals shall be notified to the depositary....
- 3 A declaration made at the time of signature, ratification, acceptance,...
- 4 A declaration made at a subsequent time, and any modification...

Article 64

Denunciation

- 1 A Contracting State to the Convention may denounce it by...
- 2 The denunciation shall take effect on the first day of...

Article 65

Notification

The depositary shall notify the Members of the Hague Conference...
 In witness whereof the undersigned, being duly authorised thereto,
 have...
 Done at The Hague, on the 23rd day of November...

SCHEDULE 3GA — RESERVATIONS AND DECLARATIONS MADE BY THE UNITED KINGDOM IN RELATION TO THE 2007 HAGUE CONVENTION

PART 1 — DECLARATION CONCERNING SPOUSAL SUPPORT

- 1 Declaration referred to in Article 2(3) of the Convention: The...

PART 2 — RESERVATION CONCERNING USE OF FRENCH

- 2 Reservation made in accordance with Article 62 of the Convention,...

PART 3 — DECLARATION CONCERNING APPLICATION CONTENTS

- 3 Declaration made in accordance with Article 63 of the Convention,...

PART 4 — UNILATERAL DECLARATION CONCERNING THE APPLICATION OF THE CONVENTION

- 4 Unilateral declaration made at the time of ratification by the...

SCHEDULE 4 — CHAPTER II OF THE REGULATION AS MODIFIED: RULES FOR ALLOCATION OF JURISDICTION WITHIN UK

General

- 1 Subject to the rules of this Schedule, persons domiciled in...
- 2 Persons domiciled in a part of the United Kingdom may...

Changes to legislation: There are currently no known outstanding effects for the Civil Jurisdiction and Judgments Act 1982. (See end of Document for details)

Special jurisdiction

- 3 A person domiciled in a part of the United Kingdom...
- 4 Proceedings which have as their object a decision of an...
- 5 A person domiciled in a part of the United Kingdom...
- 6 Where by virtue of this Schedule a court of a...

Jurisdiction over consumer contracts

- 7 (1) In matters relating to a contract concluded by a...
- 8 (1) A consumer may bring proceedings against the other party...
- 9 The provisions of rules 7 and 8 may be departed...

Jurisdiction over individual contracts of employment

- 10 (1) In matters relating to individual contracts of employment, jurisdiction...

Exclusive jurisdiction

- 11 The following courts shall have exclusive jurisdiction, regardless of domicile...

Prorogation of jurisdiction

- 12 (1) If the parties have agreed that a court or...
- 13 (1) Apart from jurisdiction derived from other provisions of this...

Examination as to jurisdiction and admissibility

- 14 Where a court of a part of the United Kingdom...
- 15 (1) Where a defendant domiciled in one part of the...

Provisional, including protective, measures

- 16 Application may be made to the courts of a part...

TITLE II — JURISDICTION

SECTION 1

GENERAL PROVISIONS

Article 2

Article 3

SECTION 2

SPECIAL JURISDICTION

Article 5

A person domiciled in a part of the United Kingdom may,...

Changes to legislation: There are currently no known outstanding effects for the Civil Jurisdiction and Judgments Act 1982. (See end of Document for details)

Article 5A

Article 6

A person domiciled in a part of the United Kingdom may, in...

Article 6A

SECTION 4

JURISDICTION OVER CONSUMER CONTRACTS

Article 13

In proceedings concerning a contract concluded by a person for...

Article 14

Article 15

The provisions of this Section may be departed from only...

SECTION 5

EXCLUSIVE JURISDICTION

Article 16

The following courts shall have exclusive jurisdiction, regardless of domicile:...

SECTION 6

PROROGATION OF JURISDICTION

Article 17

Article 18

SECTION 7

EXAMINATION AS TO JURISDICTION AND ADMISSIBILITY

Article 19

Article 20

SECTION 9

PROVISIONAL, INCLUDING PROTECTIVE, MEASURES

Article 24

SCHEDULE 5 — PROCEEDINGS EXCLUDED FROM SECTION 4

Changes to legislation: There are currently no known outstanding effects for the Civil Jurisdiction and Judgments Act 1982. (See end of Document for details)

Proceedings under the Companies Acts

- 1 Proceedings for the winding up of a company under the...

Patents, trade marks, designs and similar rights

- 2 Proceedings concerned with the registration or validity of patents, trade...

Protection of Trading Interests Act 1980

- 3 Proceedings under section 6 of the Protection of Trading Interests...

Appeals etc. from tribunals

- 4 Proceedings on appeal from, or for review of, decisions of...

Maintenance and similar payments to local and other public authorities

- 5

Proceedings under certain conventions, etc.

- 6 Proceedings brought in any court in pursuance of—

Certain Admiralty proceedings in Scotland

- 7 Proceedings in Scotland in an admiralty action where the jurisdiction...

Register of aircraft mortgages

- 8 Proceedings for the rectification of the register of aircraft mortgages...

Continental Shelf Act 1964

- 9 Proceedings brought in any court in pursuance of an order...

Financial Services Act 1986

- 10 Proceedings such as are mentioned in section 415 of the...

Proceedings by third parties against insurers

- 11 Proceedings under the Third Parties (Rights against Insurers) Act 2010....

SCHEDULE 6 — ENFORCEMENT OF U.K. JUDGMENTS (MONEY PROVISIONS)

Preliminary

- 1 In this Schedule— “judgment” means any judgment to which section...

Certificates in respect of judgments

- 2 (1) Any interested party who wishes to secure the enforcement...
3 A certificate shall not be issued under this Schedule in...
4 (1) Subject to paragraph 3, on an application under paragraph...

Changes to legislation: There are currently no known outstanding effects for the Civil Jurisdiction and Judgments Act 1982. (See end of Document for details)

Registration of certificates

- 5 (1) Where a certificate has been issued under this Schedule...

General effect of registration

- 6 (1) A certificate registered under this Schedule shall, for the...

Costs or expenses

- 7 Where a certificate is registered under this Schedule, the reasonable...

Interest

- 8 (1) Subject to any provision made under sub-paragraph (2), the...

Stay or sisting of enforcement in certain cases

- 9 Where a certificate in respect of a judgment has been...

Cases in which registration of a certificate must or may be set aside

- 10 Where a certificate has been registered under this Schedule, the...

SCHEDULE 7 — ENFORCEMENT OF U.K. JUDGMENTS (NON-MONEY PROVISIONS)

Preliminary

- 1 In this Schedule— “judgment” means any judgment to which section...

Certified copies of judgments

- 2 (1) Any interested party who wishes to secure the enforcement...
 3 A certified copy of a judgment shall not be issued...
 4 (1) Subject to paragraph 3, on an application under paragraph...

Registration of judgments

- 5 (1) Where a certified copy of a judgment has been...

General effect of registration

- 6 (1) The non-money provisions contained in a judgment registered under...

Costs or expenses

- 7 (1) Where a judgment is registered under this Schedule, the...

Stay or sisting of enforcement in certain cases

- 8 Where a judgment has been registered under this Schedule, the...

Cases in which registered judgment must or may be set aside

- 9 Where a judgment has been registered under this Schedule, the...

SCHEDULE 8 — RULES AS TO JURISDICTION IN SCOTLAND

General

- 1 Subject to the following rules, persons shall be sued in...

Special jurisdiction

- 2 Subject to rules 3 (jurisdiction over consumer contracts), 4 (jurisdiction...

Jurisdiction over consumer contracts

- 3 (1) In matters relating to a contract concluded by a...

Jurisdiction over individual contracts of employment

- 4 (1) In matters relating to individual contracts of employment, jurisdiction...

Exclusive jurisdiction

- 5 (1) Notwithstanding anything contained in any of rules 1 to...

Prorogation of jurisdiction

- 6 (1) If the parties have agreed that a court is...
7 (1) Apart from jurisdiction derived from other provisions of this...

Examination as to jurisdiction and admissibility

- 8 Where a court is seised of a claim which is...
9 Where in any case a court has no jurisdiction which...

SCHEDULE 9 — PROCEEDINGS EXCLUDED FROM SCHEDULE 8

- 1 Proceedings concerning the status or legal capacity of natural persons...
2 Proceedings for regulating the custody of children.
2A Proceedings relating to parental responsibilities within the meaning of section...
3 Proceedings relating to guardianship of children and all proceedings relating...
4 Proceedings in respect of sequestration in bankruptcy; or the winding...
5 Proceedings relating to a company where, by any enactment, jurisdiction...
6 Admiralty actions in so far as the jurisdiction is based...
7 Commissary proceedings.
8 Proceedings for the rectification of the register of aircraft mortgages...
9 Proceedings under section 7(3) of the Civil Aviation (Eurocontrol) Act...
10 Proceedings brought in pursuance of an order under section 11...
11 Proceedings under section 6 of the Protection of Trading Interests...
12 Appeals from or review of decisions of tribunals.
13 Proceedings which are not in substance proceedings in which a...
14 Proceedings brought in any court in pursuance of—

SCHEDULE 10 — AMENDMENTS OF FOREIGN JUDGMENTS (RECIPROCAL ENFORCEMENT) ACT 1933

- 1 (1) Section 1 (power to extend Part I to foreign...
2 In section 9 (power to make foreign judgment unenforceable in...

Changes to legislation: There are currently no known outstanding effects for the Civil Jurisdiction and Judgments Act 1982. (See end of Document for details)

- 3 For section 10 (issue of certificates of judgments obtained in...
- 4 After section 10 insert— Arbitration awards. The provisions of this Act, except sections 1(5) and 6,...
- 5 (1) Section 1(1) (interpretation) is amended as follows.

SCHEDULE 11 — MINOR AMENDMENTS RELATING TO MAINTENANCE ORDERS

PART I — ENFORCEMENT OF LUMP SUM ORDERS

Maintenance Orders Act 1950 (c. 37)

- 1 In section 18(3A) of the Maintenance Orders Act 1950 (order...

Maintenance Orders Act 1958 (c.39)

- 2 (1) Section 2 of the Maintenance Orders Act 1958 (registration...

Maintenance and Affiliation Orders Act (Northern Ireland) 1966 (c. 35) (N.I.)

- 3 (1) Section 11 of the Maintenance and Affiliation Orders Act...

Maintenance Orders (Reciprocal Enforcement) Act 1972 (c. 18)

- 4 (1) In section 9 of the Maintenance Orders (Reciprocal Enforcement)...

PART II — RECOVERY OF INTERESTS ON ARREARS

Maintenance Orders Act 1950 (c. 37)

- 5 In section 18 of the Maintenance Orders Act 1950 (enforcement...

Maintenance Orders Act 1958 (c.39)

- 6 (1) The Maintenance Orders Act 1958 is amended as follows....

Maintenance and Affiliation Orders Act (Northern Ireland) 1966 (c. 35) (N.I.)

- 7 (1) The Maintenance and Affiliation Orders Act (Northern Ireland) 1966...

PART III — RECIPROCAL ENFORCEMENT FOUNDED ON PRESENCE OF ASSETS

Maintenance Orders (Reciprocal Enforcement) Act 1972 (c. 18)

- 8 The Maintenance Orders (Reciprocal Enforcement) Act 1972 is amended as...
- 9 In section 2 (transmission of United Kingdom order for enforcement...
- 10 In section 6 (registration in United Kingdom of order in...
- 11 In section 8(5) (duty of magistrates' court and its officers...
- 12 In section 9 (variation and revocation of orders), after subsection...
- 13 (1) Section 10 (cancellation of registration and transfer of orders)...
- 14 In section 11(1) (steps to be taken where payer is...
- 15 In section 21(1) (interpretation of Part I), in the definition...
- 16 In section 24 (application of Part I to certain order...
- 17 In section 40 (power to apply Act with modifications by...
- 18 In section 47 (interpretation), in subsection (3) (construction of references...

SCHEDULE 12 — CONSEQUENTIAL AMENDMENTS
PART I — AMENDMENTS CONSEQUENTIAL ON PART I OF THIS
ACT

Army Act 1955 (c. 18) and Air Force Act 1955 (c. 19)

- 1 In section 150 of the Army Act 1955 and in...

Naval Discipline Act 1957 (c. 53)

- 2 In section 101 of the Naval Discipline Act 1957 (service...

Maintenance Orders Act 1958 (c. 39)

- 3

Maintenance and Affiliation Orders Act (Northern Ireland) 1966 (c. 35) (N.I.)

- 4 In section 10 of the Maintenance and Affiliation Orders Act...

Administration of Justice Act 1970 (c. 31)

- 5 In Schedule 8 to the Administration of Justice Act 1970...

Attachment of Earnings Act 1971 (c. 32)

- 6 In Schedule 1 to the Attachment of Earnings Act 1971...

Magistrates' Courts Act 1980 (c. 43)

- 7

Magistrates' Courts (Northern Ireland) Order 1981 (S.I. 1981/1675 (N.I. 26))

- 8 (1) In Article 88 of the Magistrates' Courts (Northern Ireland)...

PART II — AMENDMENTS CONSEQUENTIAL ON SCHEDULE 8

Law Reform (Miscellaneous Provisions) (Scotland) Act 1940 (c. 42)

- 1 In the Law Reform (Miscellaneous Provisions) (Scotland) Act 1940
after...

Maintenance Orders Act 1950 (c. 37)

- 2 In section 15(1)(b) of the Maintenance Orders Act 1950 for...

Maintenance Orders (Reciprocal Enforcement) Act 1972 (c. 18)

- 3 (1) In section 4 of the Maintenance Orders (Reciprocal Enforcement)...

Consumer Credit Act 1974 (c. 39)

- 4 In section 141 of the Consumer Credit Act 1974 the...

PART III — AMENDMENTS CONSEQUENTIAL ON SECTION 36

Maintenance Orders Act 1950 (c.37)

- 1 (1) The Maintenance Orders Act 1950 is amended as follows....

Maintenance Orders Act 1958 (c. 39)

- 2 In section 23(2) of the Maintenance Orders Act 1958 (provisions...

Maintenance and Affiliation Orders Act (Northern Ireland) 1966 (c. 35) (N.I.)

- 3 (1) The Maintenance and Affiliation Orders Act (Northern Ireland)
1966...

Judgments Enforcement (Northern Ireland) Order 1981 (S.I. 1981/266 (N.I.))

- 4 In Article 98 of the Judgments Enforcement (Northern Ireland) Order...

Magistrates' Courts (Northern Ireland) Order 1981 (S.I. 1981/1675 (N.I.))

- 5 (1) In Article 88 of the Magistrates' Courts (Northern Ireland)...

SCHEDULE 13 — Commencement, Transitional Provisions and Savings
Part I — COMMENCEMENT

Provisions coming into force on Royal Assent

- 1 The following provisions come into force on Royal Assent: Provision...

Provisions coming into force six weeks after Royal Assent

- 2 The following provisions come into force at the end of...

Provisions coming into force on a day to be appointed

- 3 (1) The other provisions of this Act come into force...

Part II — TRANSITIONAL PROVISIONS AND SAVINGS

Section 16 and Schedule 4

- 1 (1) Section 16 and Schedule 4 shall not apply to...

Section 18 and Schedule 6 and associated repeals

- 2 (1) In relation to a judgment a certificate whereof has...

Section 18 and Schedule 7

- 3 Schedule 7 and, so far as it relates to that...

Section 19

- 4 Section 19 shall not apply to judgments given before the...

Section 20 and Schedule 8

- 5 Section 20 and Schedule 8 shall not apply to any...

Section 26

- 6 The power conferred by section 26 shall not be exercisable...

Section 31

- 7 Section 31 shall not apply to any judgment—

Section 32 and associated repeal

- 8 (1) Section 32 shall not apply to any judgment—

Section 33 and associated repeal

- 9 (1) Section 33 shall not apply to any judgment—

Section 34

- 10 Section 34 shall not apply to judgments given before the...

SCHEDULE 14 — Repeals

Changes to legislation:

There are currently no known outstanding effects for the Civil Jurisdiction and Judgments Act 1982.