

SCHEDULES

SCHEDULE 13

Section 53.

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:

<i>Provision</i>	<i>Subject-matter</i>
section 53(1) and Part I of this Schedule.	Commencement.
section 55	Short title.

Provisions coming into force six weeks after Royal Assent

2 The following provisions come into force at the end of the period of six weeks beginning with the day on which this Act is passed:

<i>Provision</i>	<i>Subject-matter</i>
section 24(1)(a), (2)(«) and (3).	Interim relief and protective measures in cases of doubtful jurisdiction.
section 29	Service of county court process outside Northern Ireland.
section 30	Proceedings in England and Wales or Northern Ireland for torts to immovable property.
section 31	Overseas judgments given against states.
section 32	Overseas judgments given in breach of agreement for settlement of disputes.
section 33	Certain steps not to amount to submission to jurisdiction of overseas court.

Status: This is the original version (as it was originally enacted).

<i>Provision</i>	<i>Subject-matter</i>
section 34	Certain judgments a bar to further proceedings on the same cause of action.
section 35(3)	Consolidation of Orders in Council under section 14 of the Administration of Justice Act 1920.
section 38	Overseas judgments counteracting an award of multiple damages.
section 40	Power to modify enactments relating to legal aid, etc.
section 49	Saving for powers to stay, sist, strike out or dismiss proceedings.
section 50	Interpretation: general.
section 51	Application to Crown.
section 52	Extent
paragraphs 7 to 10 of Part II of this Schedule and section 53(2) so far as relates to those paragraphs.	Transitional provisions and savings.
section 54 and Schedule 14 so far as relating to the repeal of provisions in section 4 of the Foreign Judgments (Reciprocal Enforcement) Act 1933.	Repeals consequential on sections 32 and 33.

Provisions coming into force on a day to be appointed

- 3
- (1) The other provisions of this Act come into force on such day as the Lord Chancellor and the Lord Advocate may appoint by order made by statutory instrument.
 - (2) Different days may be appointed under this paragraph for different purposes.

PART II

TRANSITIONAL PROVISIONS AND SAVINGS

Section 16 and Schedule 4

- 1
- (1) Section 16 and Schedule 4 shall not apply to any proceedings begun before the commencement of that section.
 - (2) Nothing in section 16 or Schedule 4 shall preclude the bringing of proceedings in any part of the United Kingdom in connection with a dispute concerning a contract if the parties to the dispute had agreed before the commencement of that section that the contract was to be governed by the law of that part of the United Kingdom.

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Section 18 and Schedule 6 and associated repeals

- 2 (1) In relation to a judgment a certificate whereof has been registered under the 1868 Act or the 1882 Act before the repeal of that Act by this Act, the 1868 Act or, as the case may be, the 1882 Act shall continue to have effect notwithstanding its repeal.
- (2) Where by virtue of sub-paragraph (1) the 1882 Act continues to have effect in relation to an order to which section 47 of the Fair Employment (Northern Ireland) Act 1976 (damages etc. for unfair discrimination) applies, that section shall continue to have effect in relation to that order notwithstanding the repeal of that section by this Act.
- (3) A certificate issued under Schedule 6 shall not be registered under that Schedule in a part of the United Kingdom if the judgment to which that certificate relates is the subject of a certificate registered in that part under the 1868 Act or the 1882 Act.
- (4) In this paragraph—
"the 1868 Act" means the Judgments Extension Act 1868 ;
"the 1882 Act" means the Inferior Courts Judgments Extension Act 1882 ;
"judgment " has the same meaning as in section 18.

Section 18 and Schedule 7

- 3 Schedule 7 and, so far as it relates to that Schedule, section 18 shall not apply to judgments given before the coming into force of that section.

Section 19

- 4 Section 19 shall not apply to judgments given before the commencement of that section.

Section 20 and Schedule 8

- 5 Section 20 and Schedule 8 shall not apply to any proceedings begun before the commencement of that section.

Section 26

- 6 The power conferred by section 26 shall not be exercisable in relation to property arrested before the commencement of that section or in relation to bail or other security given—
(a) before the commencement of that section to prevent the arrest of property ;
or
(b) to obtain the release of property arrested before the commencement of that section ; or
(c) in substitution (whether directly or indirectly) for security given as mentioned in sub-paragraph (a) or (b).

Section 31

- 7 Section 31 shall not apply to any judgment—
(a) which has been registered under Part II of the Administration of Justice Act 1920 or Part I of the Foreign Judgments (Reciprocal Enforcement) Act 1933 before the time when that section comes into force ; or

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- (b) in respect of which proceedings at common law for its enforcement have been finally determined before that time.

Section 32 and associated repeal

- 8 (1) Section 32 shall not apply to any judgment—
 - (a) which has been registered under Part II of the Administration of Justice Act 1920, Part I of the Foreign Judgments (Reciprocal Enforcement) Act 1933 or Part I of the Maintenance Orders (Reciprocal Enforcement) Act 1972 before the time when that section comes into force ; or
 - (b) in respect of which proceedings at common law for its enforcement have been finally determined before that time.
- (2) Section 4(3)(0) of the Foreign Judgments (Reciprocal Enforcement) Act 1933 shall continue to have effect, notwithstanding its repeal by this Act, in relation to a judgment registered under Part I of that Act before the commencement of section 32.

Section 33 and associated repeal

- 9 (1) Section 33 shall not apply to any judgment—
 - (a) which has been registered under Part II of the Administration Of Justice Act 1920 or Part I of the Foreign Judgments (Reciprocal Enforcement) Act 1933 before the time when that section comes into force; or
 - (b) in respect of which proceedings at common law for its enforcement have been finally determined before that time.
- (2) The repeal by this Act of words in section 4(2)(a)(i) of the Foreign Judgments (Reciprocal Enforcement) Act 1933 shall not affect the operation of that provision in relation to a judgment registered under Part I of that Act before the commencement of section 33.

Section 34

- 10 Section 34 shall not apply to judgments given before the commencement of that section.