



Civil Jurisdiction and Judgments Act 1982

1982 CHAPTER 27

PART IV

MISCELLANEOUS PROVISIONS

Provisions relating to recognition and enforcement of judgments

31 Overseas judgments given against states, etc.

- (1) A judgment given by a court of an overseas country against a state other than the United Kingdom or the state to which that court belongs shall be recognised and enforced in the United Kingdom if, and only if—
 - (a) it would be so recognised and enforced if it had not been given against a state; and
 - (b) that court would have had jurisdiction in the matter if it had applied rules corresponding to those applicable to such matters in the United Kingdom in accordance with sections 2 to 11 of the State Immunity Act 1978.
- (2) References in subsection (1) to a judgment given against a state include references to judgments of any of the following descriptions given in relation to a state—
 - (a) judgments against the government, or a department of the government, of the state but not (except as mentioned in paragraph (c)) judgments against an entity which is distinct from the executive organs of government;
 - (b) judgments against the sovereign or head of state in his public capacity;
 - (c) judgments against any such separate entity as is mentioned in paragraph (a) given in proceedings relating to anything done by it in the exercise of the sovereign authority of the state.
- (3) Nothing in subsection (1) shall affect the recognition or enforcement in the United Kingdom of a judgment to which Part I of the Foreign Judgments (Reciprocal Enforcement) Act 1933 applies by virtue of section 4 of the Carriage of Goods by Road Act 1965, section 17(4) of the Nuclear Installations Act 1965, section 13(3) of

Status: This is the original version (as it was originally enacted).

the Merchant Shipping (Oil Pollution) Act 1971, section 5 of the Carriage by Railway Act 1972 or section 5 of the Carriage of Passengers by Road Act 1974.

- (4) Sections 12, 13 and 14(3) and (4) of the State Immunity Act 1978 (service of process and procedural privileges) shall apply to proceedings for the recognition or enforcement in the United Kingdom of a judgment given by a court of an overseas country (whether or not that judgment is within subsection (1) of this section) as they apply to other proceedings.
- (5) In this section " state ", in the case of a federal state, includes any of its constituent territories.