
STATUTORY INSTRUMENTS

2011 No. 1484

**The Civil Jurisdiction and Judgments
(Maintenance) Regulations 2011**

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Civil Jurisdiction and Judgments (Maintenance) Regulations 2011, and shall come into force on 18th June 2011.

(2) These Regulations extend to England and Wales, Scotland and Northern Ireland.

(3) An amendment, repeal or revocation made by these Regulations has the same extent as the enactment amended, repealed or revoked.

Interpretation

2. In these Regulations—

“the Act” means the Civil Jurisdiction and Judgments Act 1982(1);

“the Order” means the Civil Jurisdiction and Judgments Order 2001(2);

“the Maintenance Regulation” means Council Regulation (EC) No 4/2009(3) including as applied in relation to Denmark by virtue of the Agreement made on 19th October 2005 between the European Community and the Kingdom of Denmark(4);

“Maintenance Regulation State” in any provision, in the application of that provision in relation to the Maintenance Regulation, refers to any of the Member States.

The Maintenance Regulation

3. Schedule 1 (which contains provisions relating to the enforcement of maintenance decisions pursuant to the Maintenance Regulation) has effect.

Provisions relating to information

4. Schedule 2 (which contains provisions relating to access to, and the transmission and use of, information) has effect.

Provisions relating to authentic instruments and court settlements

5. Schedule 3 (which contains provisions relating to authentic instruments and court settlements) has effect.

Amendments to the Civil Jurisdiction and Judgments Act 1982

6. Schedule 4 (which makes amendments to the Act) has effect.

(1) 1982 c.27.

(2) S.I. 2001/3929, amended by S.I. 2007/1655.

(3) OJNo. L7, 10.1.2009, p.1-79.

(4) OJ No. L 299 16.11.2005, p.62 -70.

Amendments to the Civil Jurisdiction and Judgments Order 2001

7. Schedule 5 (which makes amendments to the Order) has effect.

Allocation of jurisdiction within the United Kingdom

8. Schedule 6 (which contains rules for the allocation of jurisdiction within the United Kingdom in relation to maintenance) has effect.

Consequential amendments

9. Schedule 7 (which makes consequential amendments) has effect.

Review

10.—(1) Before the end of each review period, the Secretary of State must—

- (a) carry out a review of the provisions of these Regulations,
- (b) set out the conclusions of the review in a report, and
- (c) publish the report.

(2) The review shall relate to the operation of these Regulations as they affect England and Wales only.

(3) In carrying out the review the Secretary of State must, so far as is reasonable, have regard to how the Maintenance Regulation has been given effect in other Member States.

(4) The report must in particular—

- (a) set out the objectives intended to be achieved by the provisions of these Regulations,
- (b) assess the extent to which those objectives are achieved, and
- (c) assess whether those objectives remain appropriate, and, if so, the extent to which they could be achieved in a manner that imposes less regulation.

(5) “Review period” means—

- (a) the period of five years beginning with the day on which these Regulations come into force, and
- (b) subject to paragraph (6), each successive period of five years.

(6) If a report under this regulation is published before the last day of the review period to which it relates, the following review period is to begin with the day on which that report is published.

Signed by authority of the Secretary of State for Justice

13th June 2011

McNally
Minister of State
Ministry of Justice