
STATUTORY INSTRUMENTS

2018 No. 1124

The Civil Jurisdiction and Judgments (Hague Convention on Choice of Court Agreements 2005) (EU Exit) Regulations 2018

PART 3

Modification and amendment of primary and secondary legislation

Primary and subordinate legislation referring to the 2005 Hague Convention

7.—(1) Provision made in relation to the 2005 Hague Convention by—

- (a) the Civil Jurisdiction and Judgments Act 1982(1),
- (b) the Civil Procedure Rules 1998(2), and
- (c) the Civil Jurisdiction and Judgments (Hague Convention on Choice of Court Agreements 2005) Regulations 2015(3),

also applies in the case of an exclusive choice of court agreement to which regulation 4 or 5 applies.

(2) Where the provision so applies in a particular case, it has effect as if the provision were made in relation to the section 4 rights, as the section 4 rights have effect in that case (see regulation 3(2) and regulation 4(2) and (3) or 5(2) and (3)).

(3) Provision made by reference to the 2005 Hague Convention by—

- (a) section 25(3) of the Civil Jurisdiction and Judgments Act 1982 (interim relief in England and Wales and Northern Ireland in the absence of substantive proceedings)(4),
- (b) the Civil Jurisdiction and Judgments Act 1982 (Interim Relief) Order 1997(5), and
- (c) the Civil Jurisdiction and Judgments Act 1982 (Provisional and Protective Measures) (Scotland) Order 1997(6),

has effect while the United Kingdom is not a State bound by the 2005 Hague Convention as if it were such a State.

Civil Jurisdiction and Judgments Act 1982

8. In section 24 of the Civil Jurisdiction and Judgments Act 1982(7) (interim relief and protective measures in cases of doubtful jurisdiction)—

(1) 1982 c. 27. Relevant amendments were made by [S.I. 2015/1644](#).
(2) [S.I. 1998/3132](#). Relevant amendments were made by [S.I. 2015/1644](#).
(3) [S.I. 2015/1644](#).
(4) Section 25(3) was amended by section 3 of, and paragraph 12 of Schedule 2 to, the Civil Jurisdiction and Judgments Act 1991 ([c.12](#)), section 107(2) of, and Schedule 4 to, the Arbitration Act 1996 ([c.23](#)), [S.I.2001/3929](#), [S.I. 2009/3131](#), [S.I. 2011/1484](#) and [S.I.2015/1644](#).
(5) [S.I. 1997/302](#). Relevant amendments were made by [S.I. 2015/1644](#).
(6) [S.I. 1997/2780 \(S.174\)](#). Relevant amendments were made by [S.I. 2015/1644](#).
(7) Section 24(1)(c) and (2)(c) was amended by [S.I. 2001/3929](#), [S.I. 2009/3131](#), [S.I. 2012/1809](#) and [S.I. 2015/1644](#).

- (a) in subsection (1)(c) (proceedings in England and Wales or Northern Ireland involving a reference to the European Court), omit “or the 2005 Hague Convention”;
- (b) in subsection (2)(c) (proceedings in Scotland involving a reference to the European Court), omit “or the 2005 Hague Convention”.