
EXPLANATORY NOTE

(This note is not part of the Regulations)

The United Kingdom has participated in the Convention on Choice of Court Agreements concluded on 30th June 2005 at The Hague (“the 2005 Hague Convention”), and the Convention on the International Recovery of Child Support and other forms of Family Maintenance concluded on 23 November 2007 at The Hague (“the 2007 Hague Convention”), since 2015 and 2014 respectively by virtue of the United Kingdom’s membership of the EU. In September 2020 the United Kingdom took the necessary steps to join the two Conventions as an independent party as part of its preparation for leaving the EU. This included depositing the necessary instruments of accession and ratification with the depositary. Parliamentary scrutiny of these Conventions prior to accession and ratification took place under the Constitutional Reform and Governance Act 2010 (c. 25) during November and December 2018, which included the text of the declarations and reservation the United Kingdom intended to make. The Private International Law (Implementation of Agreements) Act 2020 (c. 24) implemented the Conventions in the United Kingdom by amending the Civil Jurisdiction and Judgments Act 1982 (c. 27). The Government indicated during the passage of the 2020 Act that it intended to use the power in section 2 of the Act to amend the Civil Jurisdiction and Judgments Act 1982 to ensure the text of the reservations and declarations were available for reference purposes.

These Regulations make those amendments to the Civil Jurisdiction and Judgments Act 1982 so that the United Kingdom’s reservations and declarations to the 2005 Hague Convention and 2007 Hague Conventions appear as new Schedules to that Act.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sector is foreseen.