



Civil Jurisdiction and Judgments Act 1982

CHAPTER 27

CIVIL JURISDICTION AND JUDGMENTS ACT 1982

PART I

IMPLEMENTATION OF THE CONVENTIONS

Main implementing provisions

- 1 Interpretation of references to the Conventions and Contracting States.
- 2 The Brussels Conventions to have the force of law.
- 3 Interpretation of the Brussels Conventions.
- 3A The Lugano Convention to have the force of law.
- 3B Interpretation of the Lugano Convention.

Supplementary provisions as to recognition and enforcement of judgments

- 4 Enforcement of judgments other than maintenance orders.
- 4A Enforcement of judgments, other than maintenance orders, under the Lugano Convention
- 5 Recognition and enforcement of maintenance orders.
- 5A Recognition and enforcement of maintenance orders under the Lugano Convention
- 6 Appeals under Article 37, second paragraph and Article 41.
- 6A Appeals under Article 44 and Annex IV of the Lugano Convention
- 7 Interest on registered judgments.
- 8 Currency of payment under registered maintenance orders.

Other supplementary provisions

- 9 Provisions supplementary to Title VII of 1968 Convention.
- 10 Allocation within U.K. of jurisdiction with respect to trusts and consumer contracts.

Status: Point in time view as at 01/03/2002.

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- 11 Proof and admissibility of certain judgments and related documents.
- 11A Proof and admissibility of certain judgments and related documents for the purposes of the Lugano Convention
- 12 Provision for issue of copies of, and certificates in connection with, U.K. judgments.
- 13 Modifications to cover authentic instruments and court settlements.
- 14 Modifications consequential on revision of the Conventions.
- 15 Interpretation of Part I and consequential amendments.

PART II

JURISDICTION, AND RECOGNITION AND ENFORCEMENT OF JUDGMENTS, WITHIN UNITED KINGDOM

- 16 Allocation within U.K. of jurisdiction in certain civil proceedings.
- 17 Exclusion of certain proceedings from Schedule 4.
- 18 Enforcement of U.K. judgments in other parts of U.K.
- 19 Recognition of U.K. judgments in other parts of U.K.

PART III

JURISDICTION IN SCOTLAND

- 20 Rules as to jurisdiction in Scotland.
- 21 Continuance of certain existing jurisdictions.
- 22 Supplementary provisions.
- 23 Savings and consequential amendments.

PART IV

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Provisions relating to jurisdiction

- 24 Interim relief and protective measures in cases of doubtful jurisdiction.
- 25 Interim relief in England and Wales and Northern Ireland in the absence of substantive proceedings.
- 26 Security in Admiralty proceedings in England and Wales or Northern Ireland in case of stay, etc.
- 27 Provisional and protective measures in Scotland in the absence of substantive proceedings.
- 28 Application of s. 1 of Administration of Justice (Scotland) Act 1972.
- 29 Service of county court process outside Northern Ireland.
- 30 Proceedings in England and Wales or Northern Ireland for torts to immovable property.

Provisions relating to recognition and enforcement of judgments

- 31 Overseas judgments given against states, etc.
- 32 Overseas judgments given in proceedings brought in breach of agreement for settlement of disputes.
- 33 Certain steps not to amount to submission to jurisdiction of overseas court.
- 34 Certain judgments a bar to further proceedings on the same cause of action.
- 35 Minor amendments relating to overseas judgments.
- 36 Registration of maintenance orders in Northern Ireland.

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- 37 Minor amendments relating to maintenance orders.
- 38 Overseas judgments counteracting an award of multiple damages.

*Jurisdiction, and recognition and enforcement of judgments,
as between United Kingdom and certain territories*

- 39 Application of provisions corresponding to 1968 Convention in relation to certain territories.

Legal aid

- 40 Power to modify enactments relating to legal aid etc.

PART V

SUPPLEMENTARY AND GENERAL PROVISIONS

Domicile

- 41 Domicile of individuals.
- 41A Domicile of individuals for the purposes of the Lugano Convention
- 42 Domicile and seat of corporation or association.
- 43 Seat of corporation or association for purposes of Article 16(2) and related provisions.
- 43A Seat of companies or other legal persons, or of associations, for the purposes of Article 22(2) of the Lugano Convention
- 44 Persons deemed to be domiciled in the United Kingdom for certain purposes.
- 44A Persons deemed to be domiciled in the United Kingdom for certain purposes of the Lugano Convention
- 45 Domicile of trusts.
- 46 Domicile and seat of the Crown.

Other supplementary provisions

- 47 Modifications occasioned by decisions of European Court as to meaning or effect of Conventions.
- 48 Matters for which rules of court may provide.
- 49 Saving for powers to stay, sist, strike out or dismiss proceedings.

General

- 50 Interpretation: general.
- 51 Application to Crown.
- 52 Extent.
- 53 Commencement, transitional provisions and savings.
- 54 Repeals.
- 55 Short title.

SCHEDULES

- SCHEDULE 1 — TEXT OF 1968 CONVENTION, AS AMENDED
- CONVENTION ON JURISDICTION AND THE ENFORCEMENT OF JUDGMENTS IN CIVIL AND COMMERCIAL MATTERS

Status: Point in time view as at 01/03/2002.

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TITLE 1 — SCOPE

Article 1

TITLE II — JURISDICTION

SECTION 1

GENERAL PROVISIONS

Article 2

Article 3

Article 4

SECTION 2

SPECIAL JURISDICTION

Article 5

Article 6

Article 6a

SECTION 3

JURISDICTION IN MATTERS RELATING TO INSURANCE

Article 7

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Article 12

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SECTION 4

JURISDICTION OVER CONSUMER CONTRACTS

Status: Point in time view as at 01/03/2002.

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Article 13

Article 14

Article 15

SECTION 5

EXCLUSIVE JURISDICTION

Article 16

SECTION 6

PROROGATION OF JURISDICTION

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EXAMINATION AS TO JURISDICTION AND ADMISSABILITY

Article 19

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SECTION 8

LIS PENDENS—RELATED ACTIONS

Article 21

Article 22

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PROVISIONAL, INCLUDING PROTECTIVE, MEASURES

Article 24

TITLE III — RECOGNITION AND ENFORCEMENT

Article 25

SECTION 1

RECOGNITION

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Article 26

Article 27

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Article 29

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SECTION 2

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SECTION 3

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Article 46

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TITLE IV — AUTHENTIC INSTRUMENTS AND COURT SETTLEMENTS

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TITLE VIII — FINAL PROVISIONS

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Article 60

Article 61

Article 62

Article 63

Article 64

Article 65

Article 66

Article 67

Article 68

— ANNEXED PROTOCOL

Article I

Article II

Article III

Article IV

Article V

Article Va

Article Vb

Article Vc

Article Vd

Article Ve

Article VI

SCHEDULE 2 — TEXT OF 1971 PROTOCOL, AS AMENDED

— ARTICLE 1 THE COURT OF JUSTICE OF THE EUROPEAN
COMMUNITIES...

ARTICLE 1 THE COURT OF JUSTICE OF THE EUROPEAN COMMUNITIES...

The Court of Justice of the European Communities shall have...

The Court of Justice of the European Communities shall also...

The Court of Justice of the European Communities shall also...

The Court of Justice of the European Communities shall also...

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The Court of Justice of the European Communities shall also...

ARTICLE 2 THE FOLLOWING COURTS MAY REQUEST THE COURT OF...

The following courts may request the Court of Justice to...

- 1 —
in Belgium: la Cour de Cassation—het Hof van Cassatie and...
- 2 The courts of the Contracting States when they are sitting...
- 3 In the cases provided for in Article 37 of the...

ARTICLE 3 WHERE A QUESTION OF INTERPRETATION OF THE CONVENTION OR OF...

- 1 Where a question of interpretation of the Convention or of...
- 2 Where such a question is raised before any court referred...

ARTICLE 4 THE COMPETENT AUTHORITY OF A CONTRACTING STATE MAY REQUEST THE...

- 1 The competent authority of a Contracting State may request the...
- 2 The interpretation given by the Court of Justice in response...
- 3 The Procurators-General of the Courts of Cassation of the Contracting...
- 4 The Registrar of the Court of Justice shall give notice...
- 5 No fees shall be levied or any costs or expenses...

ARTICLE 5 EXCEPT WHERE THIS PROTOCOL
OTHERWISE PROVIDES, THE PROVISIONS OF THE...

- 1 Except where this Protocol otherwise provides, the provisions of the...
- 2 The Rules of Procedure of the Court of Justice shall,...

ARTICLE 6 [DELETED]

[Deleted]

ARTICLE 7 THIS PROTOCOL SHALL BE RATIFIED BY THE SIGNATORY...

This Protocol shall be ratified by the signatory States. The...

ARTICLE 8 THIS PROTOCOL SHALL ENTER INTO FORCE ON THE...

This Protocol shall enter into force on the first day...

ARTICLE 9 THE CONTRACTING STATES RECOGNISE THAT ANY STATE WHICH...

The Contracting States recognise that any State which becomes a...

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ARTICLE 10 THE SECRETARY-GENERAL OF THE COUNCIL OF THE EUROPEAN...

The Secretary-General of the Council of the European Communities shall...

ARTICLE 11 THE CONTRACTING STATES SHALL
COMMUNICATE TO THE SECRETARY-GENERAL...

The Contracting States shall communicate to the Secretary-General of the...

ARTICLE 12 THIS PROTOCOL IS CONCLUDED FOR AN UNLIMITED PERIOD....

This Protocol is concluded for an unlimited period.

ARTICLE 13 ANY CONTRACTING STATE MAY REQUEST THE REVISION OF...

Any Contracting State may request the revision of this Protocol....

ARTICLE 14 THIS PROTOCOL, DRAWN UP IN A SINGLE ORIGINAL...

This Protocol, drawn up in a single original in the...

SCHEDULE 3 — TEXT OF TITLES V AND VI OF THE ACCESSION
CONVENTION, AS AMENDED
TITLE V — TRANSITIONAL PROVISIONS

Article 34

- 1 The 1968 Convention and the 1971 Protocol, with the amendments...
- 2 However, as between the six Contracting States to the 1968...
- 3 Moreover, as between the six Contracting States to the 1968...

Article 35

Article 36

TITLE VI — FINAL PROVISIONS

Article 37

The Secretary-General of the Council of the European Communities shall...

Article 38

This Convention shall be ratified by the signatory States. The...

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Article 39

This Convention shall enter into force, as between the States...

Article 40

The Secretary-General of the Council of the European Communities shall...

Article 41

This Convention, drawn up in a single original in the...

SCHEDULE 3A — TEXT OF TITLES V AND VI OF 1982 ACCESSION CONVENTION

TITLE V — TRANSITIONAL PROVISIONS

Article 12

- 1 The 1968 Convention and the 1971 Protocol, as amended by...
- 2 However, judgments given after the date of entry into force...

TITLE VI — FINAL PROVISIONS

Article 13

The Secretary-General of the Council of the European Communities shall...

Article 14

This Convention shall be ratified by the signatory States. The...

Article 15

This Convention shall enter into force, as between the States...

Article 16

The Secretary-General of the Council of the European Communities shall...

Article 17

This Convention, drawn up in a single original in the...

SCHEDULE 3B — TEXT OF TITLES VI AND VII OF 1989 ACCESSION CONVENTION

TITLE VI — TRANSITIONAL PROVISIONS

Article 29

- 1 The 1968 Convention and the 1971 Protocol, as amended by...
- 2 However, judgments given after the date of entry into force...

TITLE VII — FINAL PROVISIONS

Status: Point in time view as at 01/03/2002.

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Article 30

- 1 The Secretary-General of the Council of the European Communities shall...
- 2 The texts of the 1968 Convention, of the 1971 Protocol,...

Article 31

This Convention shall be ratified by the signatory States. The...

Article 32

- 1 This Convention shall enter into force on the first day...
- 2 This Convention shall take effect in relation to any other...

Article 33

The Secretary-General of the Council of the European Communities shall...

Article 34

This Convention, drawn up in a single original in the...

SCHEDULE 3BB — TEXT OF TITLES V AND VI OF 1996 ACCESSION CONVENTION

TITLE V — TRANSITIONAL PROVISIONS

ARTICLE 13

- 1 The 1968 Convention and the 1971 Protocol, as amended by...
- 2 However, judgments given after the date of entry into force...

TITLE VI — FINAL PROVISIONS

ARTICLE 14

- 1 The Secretary-General of the Council of the European Union shall...
- 2 The texts of the 1968 Convention, of the 1971 Protocol,...

Article 15 This Convention shall be ratified by the signatory...

This Convention shall be ratified by the signatory States. The...

Article 16 This Convention shall enter into force on the first day...

- 1 This Convention shall enter into force on the first day...
- 2 This Convention shall produce its effects for any other signatory...

Article 17 The Secretary-General of the Council of the European...

The Secretary-General of the Council of the European Union shall...

Article 18 This Convention, drawn up in a single original...

This Convention, drawn up in a single original in the...

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Schedule 3C — Text of the Lugano Convention

ARRANGEMENT OF PROVISIONS

— CONVENTION

ON JURISDICTION AND THE ENFORCEMENT OF JUDGMENTS IN CIVIL AND COMMERCIAL MATTERS

Preamble

TITLE I — SCOPE

Article 1

TITLE II — JURISDICTION

SECTION 1

GENERAL PROVISIONS

Article 2

Article 3

Persons domiciled in a Contracting State may be sued in...
In particular the following provisions shall not be applicable as...

Article 4

SECTION 2

SPECIAL JURISDICTION

Article 5

- 1 in matters relating to a contract, in the courts for...
- 2 in matters relating to maintenance, in the courts for the...
- 3 in matters relating to tort, delict or quasi-delict, in the...
- 4 as regards a civil claim for damages or restitution which...
- 5 as regards a dispute arising out of the operations of...
- 6 in his capacity as settlor, trustee or beneficiary of a...
- 7 as regards a dispute concerning the payment of remuneration claimed...

Article 6

- 1 where he is one of a number of defendants, in...
- 2 as a third party in an action on a warranty...
- 3 on a counterclaim arising from the same contract or facts...
- 4 in matters relating to a contract, if the action may...

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Article 6A

SECTION 3

JURISDICTION IN MATTERS RELATING TO INSURANCE

Article 7

Article 8

- 1 in the courts of the State where he is domiciled;...
- 2 in another Contracting State, in the courts for the place...
- 3 if he is a co-insurer, in the courts of a...

Article 9

Article 10

Article 11

Article 12

- 1 which is entered into after the dispute has arisen; or...
- 2 which allows the policy-holder, the insured or a beneficiary to...
- 3 which is concluded between a policy-holder and an insurer, both...
- 4 which is concluded with a policy-holder who is not domiciled...
- 5 which relates to a contract of insurance in so far...

Article 12A

- 1 any loss of or damage to: (a) sea-going ships, installations...
- 2 any liability, other than for bodily injury to passengers or...
- 3 any financial loss connected with the use or operation of...
- 4 any risk or interest connected with any of those referred...

SECTION 4

JURISDICTION OVER CONSUMER CONTRACTS

Article 13

- 1 a contract for the sale of goods on instalment credit...
- 2 a contract for a loan repayable by instalments, or for...
- 3 any other contract for the supply of goods or a...

Article 14

Article 15

- 1 which is entered into after the dispute has arisen; or...
- 2 which allows the consumer to bring proceedings in courts other...
- 3 which is entered into by the consumer and the other...

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SECTION 5

EXCLUSIVE JURISDICTION

Article 16

- 1 (a) in proceedings which have as their object rights in rem...
- 2 in proceedings which have as their object the validity of...
- 3 in proceedings which have as their object the validity of...
- 4 in proceedings concerned with the registration or validity of patents,...
- 5 in proceedings concerned with the enforcement of judgments, the courts...

SECTION 6

PROROGATION OF JURISDICTION

Article 17

- 1 If the parties, one or more of whom is domiciled...
- 2 The court or courts of a Contracting State on which...
- 3 Agreements or provisions of a trust instrument conferring jurisdiction shall...
- 4 If an agreement conferring jurisdiction was concluded for the benefit...
- 5 In matters relating to individual contracts of employment an agreement...

Article 18

SECTION 7

EXAMINATION AS TO JURISDICTION AND ADMISSIBILITY

Article 19

Article 20

SECTION 8

LIS PENDENS— RELATED ACTIONS

Article 21

Article 22

Article 23

SECTION 9

PROVISIONAL, INCLUDING PROTECTIVE, MEASURES

Article 24

TITLE III — RECOGNITION AND ENFORCEMENT

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Article 25

SECTION 1

RECOGNITION

Article 26

Article 27

- 1 if such recognition is contrary to public policy in the...
- 2 where it was given in default of appearance, if the...
- 3 if the judgment is irreconcilable with a judgment given in...
- 4 if the court of the State of origin, in order...
- 5 if the judgment is irreconcilable with an earlier judgment given...

Article 28

Article 29

Article 30

SECTION 2

ENFORCEMENT

Article 31

Article 32

- 1 The application shall be submitted: — in Belgium, to the...
- 2 The jurisdiction of local courts shall be determined by reference...

Article 33

Article 34

Article 35

Article 36

Article 37

- 1 An appeal against the decision authorising enforcement shall be lodged...
- 2 The judgment given on the appeal may be contested only:...

Article 38

Article 39

Article 40

- 1 If the application for enforcement is refused, the applicant may...
- 2 The party against whom enforcement is sought shall be summoned...

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Article 41

A judgment given on an appeal provided for in Article...

Article 42

Article 43

Article 44

Article 45

SECTION 3

COMMON PROVISIONS

Article 46

- 1 a copy of the judgment which satisfies the conditions necessary...
- 2 in the case of a judgment given in default, the...

Article 47

- 1 documents which establish that, according to the law of the...
- 2 where appropriate, a document showing that the applicant is in...

Article 48

Article 49

TITLE IV — AUTHENTIC INSTRUMENTS AND COURT SETTLEMENTS

Article 50

Article 51

TITLE V — GENERAL PROVISIONS

Article 52

Article 53

TITLE VI — TRANSITIONAL PROVISIONS

Article 54

Article 54A

- 1 A person who is domiciled in a Contracting State may...
- 2 A claimant may arrest either the particular ship to which...
- 3 Ships shall be deemed to be in the same ownership...
- 4 When in the case of a charter by demise of...
- 5 The expression “maritime claim” means a claim arising out of...
- 6 In Denmark, the expression “arrest” shall be deemed, as regards...
- 7 In Iceland, the expression “arrest” shall be deemed, as regards...

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TITLE VII — RELATIONSHIP TO THE BRUSSELS CONVENTION AND TO OTHER CONVENTIONS

Article 54B

- 1 This Convention shall not prejudice the application by the Member...
- 2 However, this Convention shall in any event be applied:
- 3 In addition to the grounds provided for in Title III...

Article 55

Article 56

Article 57

- 1 This Convention shall not affect any conventions to which the...
- 2 This Convention shall not prevent a court of a Contracting...
- 3 Judgments given in a Contracting State by a court in...
- 4 In addition to the grounds provided for in Title III,...
- 5 Where a convention referred to in the first paragraph to...

Article 58

(None)

Article 59

TITLE VIII — FINAL PROVISIONS

Article 60

The following may be parties to this Convention: States which,...

Article 61

- 1 This Convention shall be opened for signature by the States...
- 2 The Convention shall be submitted for ratification by the signatory...
- 3 The Convention shall enter into force on the first day...
- 4 The Convention shall take effect in relation to any other...

Article 62

- 1 After entering into force this Convention shall be open to...
- 2 If an acceding State wishes to furnish details for the...
- 3 In respect of an acceding State, the Convention shall take...
- 4 However, in respect of an acceding State referred to in...

Article 63

Article 64

- 1 This Convention is concluded for an initial period of five...
- 2 At the end of the initial five-year period, the Convention...
- 3 Upon the expiry of the initial five-year period, any Contracting...
- 4 The denunciation shall take effect at the end of the...

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Article 65

The following are annexed to this Convention: — a Protocol...

Article 66

Article 67

The Swiss Federal Council shall notify the States represented at...

Article 68

PROTOCOL NO. 1

ON CERTAIN QUESTIONS OF JURISDICTION, PROCEDURE AND ENFORCEMENT

Article I

Article Ia

- 1 Switzerland reserves the right to declare, at the time of...
- 2 This reservation shall not apply to the extent that at...
- 3 This reservation shall cease to have effect on 31 December...

Article Ib

Article II

Article III

Article IV

Article V

Article Va

Article Vb

Article Vc

(None)

Article Vd

Article VI

PROTOCOL NO. 2

ON THE UNIFORM INTERPRETATION OF THE CONVENTION

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Preamble

Article 1

Article 2

- 1 The Contracting Parties agree to set up a system of...
- 2 The central body is the Registrar of the Court of...

Article 3

- 1 A Standing Committee shall be set up for the purposes...
- 2 The Committee shall be composed of representatives appointed by each...
- 3 The European Communities (Commission, Court of Justice and General Secretariat...

Article 4

- 1 At the request of a Contracting Party, the depositary of...
- 2 The Committee, in the light of these exchanges, may also...

PROTOCOL NO. 3

ON THE APPLICATION OF ARTICLE 57

- 1 For the purposes of the Convention, provisions which, in relation...
- 2 If one Contracting State is of the opinion that a...

SCHEDULE 4 — CHAPTER II OF THE REGULATION AS MODIFIED: RULES FOR ALLOCATION OF JURISDICTION WITHIN UK

General

- 1 Subject to the rules of this Schedule, persons domiciled in...
- 2 Persons domiciled in a part of the United Kingdom may...

Special jurisdiction

- 3 A person domiciled in a part of the United Kingdom...
- 4 Proceedings which have as their object a decision of an...
- 5 A person domiciled in a part of the United Kingdom...
- 6 Where by virtue of this Schedule a court of a...

Jurisdiction over consumer contracts

- 7 (1) In matters relating to a contract concluded by a...
- 8 (1) A consumer may bring proceedings against the other party...
- 9 The provisions of rules 7 and 8 may be departed...

Jurisdiction over individual contracts of employment

- 10 (1) In matters relating to individual contracts of employment, jurisdiction...

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Exclusive jurisdiction

- 11 The following courts shall have exclusive jurisdiction, regardless of domicile...

Prorogation of jurisdiction

- 12 (1) If the parties have agreed that a court or...
13 (1) Apart from jurisdiction derived from other provisions of this...

Examination as to jurisdiction and admissibility

- 14 Where a court of a part of the United Kingdom...
15 (1) Where a defendant domiciled in one part of the...

Provisional, including protective, measures

- 16 Application may be made to the courts of a part...
TITLE II — JURISDICTION

SECTION 1

GENERAL PROVISIONS

ARTICLE 2

ARTICLE 3

SECTION 2

SPECIAL JURISDICTION

ARTICLE 5

A person domiciled in a part of the United Kingdom may,...

ARTICLE 5A

ARTICLE 6

A person domiciled in a part of the United Kingdom may, in...

ARTICLE 6A

SECTION 4

JURISDICTION OVER CONSUMER CONTRACTS

ARTICLE 13

In proceedings concerning a contract concluded by a person for...

ARTICLE 14

ARTICLE 15

The provisions of this Section may be departed from only...

Status: Point in time view as at 01/03/2002.

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SECTION 5

EXCLUSIVE JURISDICTION

ARTICLE 16

The following courts shall have exclusive jurisdiction, regardless of domicile:...

SECTION 6

PROROGATION OF JURISDICTION

ARTICLE 17

ARTICLE 18

SECTION 7

EXAMINATION AS TO JURISDICTION AND ADMISSIBILITY

ARTICLE 19

ARTICLE 20

SECTION 9

PROVISIONAL, INCLUDING PROTECTIVE, MEASURES

ARTICLE 24

SCHEDULE 5 — PROCEEDINGS EXCLUDED FROM SECTION 4

Proceedings under the Companies Acts

- 1 Proceedings for the winding up of a company under the...

Patents, trade marks, designs and similar rights

- 2 Proceedings concerned with the registration or validity of patents, trade...

Protection of Trading Interests Act 1980

- 3 Proceedings under section 6 of the Protection of Trading Interests...

Appeals etc. from tribunals

- 4 Proceedings on appeal from, or for review of, decisions of...

Maintenance and similar payments to local and other public authorities

- 5 Proceedings for, or otherwise relating to, an order under any...

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Proceedings under certain conventions, etc.

6 Proceedings brought in any court in pursuance of—

Certain Admiralty proceedings in Scotland

7 Proceedings in Scotland in an Admiralty cause where the jurisdiction...

Register of aircraft mortgages

8 Proceedings for the rectification of the register of aircraft mortgages...

Continental Shelf Act 1964

9 Proceedings brought in any court in pursuance of an order...

Financial Services Act 1986

10 Proceedings such as are mentioned in section 415 of the...

SCHEDULE 6 — ENFORCEMENT OF U.K. JUDGMENTS (MONEY PROVISIONS)

Preliminary

1 In this Schedule— “ judgment ” means any judgment to...

Certificates in respect of judgments

2 (1) Any interested party who wishes to secure the enforcement...

3 A certificate shall not be issued under this Schedule in...

4 (1) Subject to paragraph 3, on an application under paragraph...

Registration of certificates

5 (1) Where a certificate has been issued under this Schedule...

General effect of registration

6 (1) A certificate registered under this Schedule shall, for the...

Costs or expenses

7 Where a certificate is registered under this Schedule, the reasonable...

Interest

8 (1) Subject to any provision made under sub-paragraph (2), the...

Stay or sisting of enforcement in certain cases

9 Where a certificate in respect of a judgment has been...

Cases in which registration of a certificate must or may be set aside

10 Where a certificate has been registered under this Schedule, the...

SCHEDULE 7 — ENFORCEMENT OF U.K. JUDGMENTS (NON-MONEY PROVISIONS)

Status: Point in time view as at 01/03/2002.

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Preliminary

- 1 In this Schedule— “ judgment ” means any judgment to...

Certified copies of judgments

- 2 (1) Any interested party who wishes to secure the enforcement...
3 A certified copy of a judgment shall not be issued...
4 (1) Subject to paragraph 3, on an application under paragraph...

Registration of judgments

- 5 (1) Where a certified copy of a judgment has been...

General effect of registration

- 6 (1) The non-money provisions contained in a judgment registered under...

Costs or expenses

- 7 (1) Where a judgment is registered under this Schedule, the...

Stay or sisting of enforcement in certain cases

- 8 Where a judgment has been registered under this Schedule, the...

Cases in which registered judgment must or may be set aside

- 9 Where a judgment has been registered under this Schedule, the...

SCHEDULE 8 — RULES AS TO JURISDICTION IN SCOTLAND

General

- 1 Subject to the following rules, persons shall be sued in...

Special jurisdiction

- 2 Subject to rules 3 (jurisdiction over consumer contracts), 4 (jurisdiction...

Jurisdiction over consumer contracts

- 3 (1) In matters relating to a contract concluded by a...

Jurisdiction over individual contracts of employment

- 4 (1) In matters relating to individual contracts of employment, jurisdiction...

Exclusive jurisdiction

- 5 (1) Notwithstanding anything contained in any of rules 1 to...

Prorogation of jurisdiction

- 6 (1) If the parties have agreed that a court is...
7 (1) Apart from jurisdiction derived from other provisions of this...

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Examination as to jurisdiction and admissibility

- 8 Where a court is seised of a claim which is...
- 9 Where in any case a court has no jurisdiction which...

SCHEDULE 9 — PROCEEDINGS EXCLUDED FROM SCHEDULE 8

- 1 Proceedings concerning the status or legal capacity of natural persons...
- 2 Proceedings for regulating the custody of children.
- 2A Proceedings relating to parental responsibilities within the meaning of section...
- 3 Proceedings relating to guardianship of children and all proceedings relating...
- 4 Proceedings in respect of sequestration in bankruptcy; or the winding...
- 5 Proceedings relating to a company where, by any enactment, jurisdiction...
- 6 Admiralty causes in so far as the jurisdiction is based...
- 7 Commissary proceedings.
- 8 Proceedings for the rectification of the register of aircraft mortgages...
- 9 Proceedings under section 7(3) of the Civil Aviation (Eurocontrol) Act...
- 10 Proceedings brought in pursuance of an order under section 11...
- 11 Proceedings under section 6 of the Protection of Trading Interests...
- 12 Appeals from or review of decisions of tribunals.
- 13 Proceedings which are not in substance proceedings in which a...
- 14 Proceedings brought in any court in pursuance of—

SCHEDULE 10 — AMENDMENTS OF FOREIGN JUDGMENTS (RECIPROCAL ENFORCEMENT) ACT 1933

- 1 (1) Section 1 (power to extend Part I to foreign...
- 2 In section 9 (power to make foreign judgment unenforceable in...
- 3 For section 10 (issue of certificates of judgments obtained in...
- 4 After section 10 insert— Arbitration awards. The provisions of this Act, except sections 1(5) and 6,...
- 5 (1) Section 1(1) (interpretation) is amended as follows.

SCHEDULE 11 — MINOR AMENDMENTS RELATING TO MAINTENANCE ORDERS

PART I — ENFORCEMENT OF LUMP SUM ORDERS

Maintenance Orders Act 1950 (c. 37)

- 1 In section 18(3A) of the Maintenance Orders Act 1950 (order...

Maintenance Orders Act 1958 (c.39)

- 2 (1) Section 2 of the Maintenance Orders Act 1958 (registration...

Maintenance and Affiliation Orders Act (Northern Ireland) 1966 (c. 35) (N.I.)

- 3 (1) Section 11 of the Maintenance and Affiliation Orders Act...

Maintenance Orders (Reciprocal Enforcement) Act 1972 (c. 18)

- 4 (1) In section 9 of the Maintenance Orders (Reciprocal Enforcement)...

PART II — RECOVERY OF INTERESTS ON ARREARS

Status: Point in time view as at 01/03/2002.

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Maintenance Orders Act 1950 (c. 37)

- 5 In section 18 of the Maintenance Orders Act 1950 (enforcement...

Maintenance Orders Act 1958 (c.39)

- 6 (1) The Maintenance Orders Act 1958 is amended as follows....

Maintenance and Affiliation Orders Act (Northern Ireland) 1966 (c. 35) (N.I.)

- 7 (1) The Maintenance and Affiliation Orders Act (Northern Ireland) 1966...

PART III — RECIPROCAL ENFORCEMENT FOUNDED ON PRESENCE OF ASSETS

Maintenance Orders (Reciprocal Enforcement) Act 1972 (c. 18)

- 8 The Maintenance Orders (Reciprocal Enforcement) Act 1972 is amended as...
- 9 In section 2 (transmission of United Kingdom order for enforcement...
- 10 In section 6 (registration in United Kingdom of order in...
- 11 In section 8(5) (duty of magistrates' court and its officers...
- 12 In section 9 (variation and revocation of orders), after subsection...
- 13 (1) Section 10 (cancellation of registration and transfer of orders)...
- 14 In section 11(1) (steps to be taken where payer is...
- 15 In section 21(1) (interpretation of Part I), in the definition...
- 16 In section 24 (application of Part I to certain order...
- 17 In section 40 (power to apply Act with modifications by...
- 18 In section 47 (interpretation), in subsection (3) (construction of references...

SCHEDULE 12 — CONSEQUENTIAL AMENDMENTS

PART I — AMENDMENTS CONSEQUENTIAL ON PART I OF THIS ACT

Army Act 1955 (c. 18) and Air Force Act 1955 (c. 19)

- 1 In section 150 of the Army Act 1955 and in...

Naval Discipline Act 1957 (c. 53)

- 2 In section 101 of the Naval Discipline Act 1957 (service...

Maintenance Orders Act 1958 (c. 39)

- 3 In section 1 of the Maintenance Orders Act 1958 (scope...

Maintenance and Affiliation Orders Act (Northern Ireland) 1966 (c. 35) (N.I.)

- 4 In section 10 of the Maintenance and Affiliation Orders Act...

Administration of Justice Act 1970 (c. 31)

- 5 In Schedule 8 to the Administration of Justice Act 1970...

Attachment of Earnings Act 1971 (c. 32)

- 6 In Schedule 1 to the Attachment of Earnings Act 1971...

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Magistrates' Courts Act 1980 (c. 43)

7 In section 65 of the Magistrates' Courts Act 1980 (definition...

Magistrates' Courts (Northern Ireland) Order 1981 (S.I. 1981/1675 (N.I. 26))

8 (1) In Article 88 of the Magistrates' Courts (Northern Ireland)...

PART II — AMENDMENTS CONSEQUENTIAL ON SCHEDULE 8

Law Reform (Miscellaneous Provisions) (Scotland) Act 1940 (c. 42)

1 In the Law Reform (Miscellaneous Provisions) (Scotland) Act 1940
after...

Maintenance Orders Act 1950 (c. 37)

2 In section 15(1)(b) of the Maintenance Orders Act 1950 for...

Maintenance Orders (Reciprocal Enforcement) Act 1972 (c. 18)

3 (1) In section 4 of the Maintenance Orders (Reciprocal Enforcement)...

Consumer Credit Act 1974 (c. 39)

4 In section 141 of the Consumer Credit Act 1974 the...

PART III — AMENDMENTS CONSEQUENTIAL ON SECTION 36

Maintenance Orders Act 1950 (c.37)

1 (1) The Maintenance Orders Act 1950 is amended as follows....

Maintenance Orders Act 1958 (c. 39)

2 In section 23(2) of the Maintenance Orders Act 1958 (provisions...

Maintenance and Affiliation Orders Act (Northern Ireland) 1966 (c. 35) (N.I.)

3 (1) The Maintenance and Affiliation Orders Act (Northern Ireland)
1966...

Judgments Enforcement (Northern Ireland) Order 1981 (S.I. 1981/266 (N.I.))

4 In Article 98 of the Judgments Enforcement (Northern Ireland) Order...

Magistrates' Courts (Northern Ireland) Order 1981 (S.I. 1981/1675 (N.I.))

5 (1) In Article 88 of the Magistrates' Courts (Northern Ireland)...

SCHEDULE 13 — 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: Provision...

Provisions coming into force six weeks after Royal Assent

2 The following provisions come into force at the end of...

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Provisions coming into force on a day to be appointed

- 3 (1) The other provisions of this Act come into force...
Part II — TRANSITIONAL PROVISIONS AND SAVINGS

Section 16 and Schedule 4

- 1 (1) Section 16 and Schedule 4 shall not apply to...

Section 18 and Schedule 6 and associated repeals

- 2 (1) In relation to a judgment a certificate whereof has...

Section 18 and Schedule 7

- 3 Schedule 7 and, so far as it relates to that...

Section 19

- 4 Section 19 shall not apply to judgments given before the...

Section 20 and Schedule 8

- 5 Section 20 and Schedule 8 shall not apply to any...

Section 26

- 6 The power conferred by section 26 shall not be exercisable...

Section 31

- 7 Section 31 shall not apply to any judgment—

Section 32 and associated repeal

- 8 (1) Section 32 shall not apply to any judgment—

Section 33 and associated repeal

- 9 (1) Section 33 shall not apply to any judgment—

Section 34

- 10 Section 34 shall not apply to judgments given before the...

SCHEDULE 14 — Repeals

Status:

Point in time view as at 01/03/2002.

Changes to legislation:

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