



Civil Jurisdiction and Judgments Act 1982

1982 CHAPTER 27

PART I

IMPLEMENTATION OF THE CONVENTIONS

Main implementing provisions

1 Interpretation of references to the Conventions and Contracting States.

(1) In this Act—

“the 1968 Convention” means the Convention on jurisdiction and the enforcement of judgments in civil and commercial matters (including the Protocol annexed to that Convention), signed at Brussels on 27th September 1968;

“the 1971 Protocol” means the Protocol on the interpretation of the 1968 Convention by the European Court, signed at Luxembourg on 3rd June 1971;

“the Accession Convention” means the Convention on the accession to the 1968 Convention and the 1971 Protocol of Denmark, the Republic of Ireland and the United Kingdom, signed at Luxembourg on 9th October 1978;

[^{F1}“the 1982 Accession Convention” means the Convention on the accession of the Hellenic Republic to the 1968 convention and the 1971 Protocol, with the adjustments made to them by the Accession Convention, signed at Luxembourg on 25th October 1982;]

[^{F2} “the 1989 Accession Convention” means the Convention on the accession of the kingdom of Spain and the Portuguese Republic to the 1968 Convention and the 1971 Protocol, with the adjustments made to them by the Accession Convention and the 1982 Accession Convention, signed at Donostia-San Sebastian on 26th May 1989]

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[^{F4}the 1996 Hague Convention means the Convention on Jurisdiction, Applicable Law, Recognition, Enforcement and Co-operation in respect

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of Parental Responsibility and Measures for the Protection of Children concluded on 19th October 1996 at The Hague;]

[^{F5}“the 2005 Hague Convention” means the Convention on Choice of Court Agreements concluded on 30th June 2005 at the Hague;]

[^{F6}“the 2007 Hague Convention” means the Convention on the International Recovery of Child Support and other forms of Family Maintenance done at The Hague on 23 November 2007;]

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[^{F10}“the Regulation” means Regulation (EU) No. 1215/2012 of the European Parliament and of the Council of 12 December 2012 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters (recast) ^{F11}... as applied by virtue of the Agreement made on 19 October 2005 between the European Community and the Kingdom of Denmark on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters (OJ No L 299, 16.11.2005, p62; OJ No L79, 21.3.2013, p4) [^{F12}as that Regulation had effect and was applied immediately before [^{F13}IP completion day]];

^{F14}(2)

[^{F15}(3) In this Act—

[^{F16}“2005 Hague Convention State”, in any provision, in the application of that provision in relation to the 2005 Hague Convention, means a State bound by that Convention;]

[^{F17}“2007 Hague Convention State”, in any provision, in the application of that provision in relation to the 2007 Hague Convention, means a State bound by that Convention;]

“Contracting State”, without more, in any provision means—

(a) ^{F18} ...

(b) ^{F18} ...

(c) [^{F19}in the application of the provision in relation to the 2005 Hague Convention, a 2005 Hague Convention State;]

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^{F24}(4)

Textual Amendments

F1 Definition in s. 1(1) inserted by S.I. 1989/1346, **art. 3**

F2 Definition in s. 1(1) inserted (1.10.1991) by S.I. 1990/2591, **art. 3**.

F3 Words in s. 1(1) omitted (31.12.2020) by virtue of [The Civil Jurisdiction and Judgments \(Amendment\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/479), regs. 1(1), **6(2)(a)(i)** (with regs. 92-95) (as amended by S.I. 2020/1493, regs. 1(1), 5(2)-(5)); 2020 c. 1, Sch. 5 para. 1(1)

F4 Words in s. 1(1) inserted (31.12.2020) by [Private International Law \(Implementation of Agreements\) Act 2020](#) (c. 24), **ss. 1(1), 4(3)** (with s. 3(1))

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- F5** Words in s. 1(1) inserted (1.10.2015) by The Civil Jurisdiction and Judgments (Hague Convention on Choice of Court Agreements 2005) Regulations 2015 (S.I. 2015/1644), regs. 1(1), **3(2)**
- F6** Words in s. 1(1) inserted (31.7.2012) by The International Recovery of Maintenance (Hague Convention 2007) (Rules of Court) Regulations 2012 (S.I. 2012/1770), regs. 1(1), **4(a)**
- F7** Words in s. 1(1) omitted (31.12.2020) by virtue of The Civil Jurisdiction and Judgments (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/479), regs. 1(1), **6(2)(a)(ii)** (with regs. 92-95) (as amended by S.I. 2020/1493, regs. 1(1), 5(2)-(5)); 2020 c. 1, Sch. 5 para. 1(1)
- F8** Words in s. 1(1) omitted (31.12.2020) by virtue of The Civil Jurisdiction and Judgments (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/479), regs. 1(1), **6(2)(a)(iii)** (with regs. 92-95) (as amended by S.I. 2020/1493, regs. 1(1), 5(2)-(5)); 2020 c. 1, Sch. 5 para. 1(1)
- F9** Words in s. 1(1) omitted (31.12.2020) by virtue of The Jurisdiction and Judgments (Family) (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/519), reg. 1(1), **Sch. para. 12(2)(a)** (with reg. 8) (as amended by S.I. 2020/1574, regs. 1, 5(2)); 2020 c. 1, Sch. 5 para. 1(1)
- F10** Words in s. 1(1) substituted (10.1.2015) by The Civil Jurisdiction and Judgments (Amendment) Regulations 2014 (S.I. 2014/2947), reg. 1, **Sch. 1 para. 2** (with reg. 6)
- F11** Words in s. 1(1) omitted (31.12.2020) by virtue of The Civil Jurisdiction and Judgments (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/479), regs. 1(1), **6(2)(b)(i)** (with regs. 92-95) (as amended by S.I. 2020/1493, regs. 1(1), 5(2)-(5)); 2020 c. 1, Sch. 5 para. 1(1)
- F12** Words in s. 1(1) inserted (31.12.2020) by The Civil Jurisdiction and Judgments (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/479), regs. 1(1), **6(2)(b)(ii)** (with regs. 92-95) (as amended by S.I. 2020/1493, regs. 1(1), 5(2)-(5)); 2020 c. 1, Sch. 5 para. 1(1)
- F13** Words in s. 1(1) substituted in earlier amending provision S.I. 2019/479, reg. 6(2)(b)(ii) (31.12.2020) by The Civil, Criminal and Family Justice (Amendment) (EU Exit) Regulations 2020 (S.I. 2020/1493), regs. 1(1), **5(2)(a)**
- F14** S. 1(2) omitted (31.12.2020) by virtue of The Civil Jurisdiction and Judgments (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/479), regs. 1(1), **6(3)** (with regs. 92-95) (as amended by S.I. 2020/1493, regs. 1(1), 5(2)-(5)); 2020 c. 1, Sch. 5 para. 1(1)
- F15** S. 1(3) substituted (1.10.1991) by S.I. 1990/2591, **art. 6**
- F16** Words in s. 1(3) inserted (1.10.2015) by The Civil Jurisdiction and Judgments (Hague Convention on Choice of Court Agreements 2005) Regulations 2015 (S.I. 2015/1644), regs. 1(1), **3(3)(a)**
- F17** Words in s. 1(3) inserted (31.7.2012) by The International Recovery of Maintenance (Hague Convention 2007) (Rules of Court) Regulations 2012 (S.I. 2012/1770), regs. 1(1), **4(b)**
- F18** Words in s. 1(3) omitted (31.12.2020) by virtue of The Civil Jurisdiction and Judgments (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/479), regs. 1(1), **6(4)(a)** (with regs. 92-95) (as amended by S.I. 2020/1493, regs. 1(1), 5(2)-(5)); 2020 c. 1, Sch. 5 para. 1(1)
- F19** Words in s. 1(3) inserted (1.10.2015) by The Civil Jurisdiction and Judgments (Hague Convention on Choice of Court Agreements 2005) Regulations 2015 (S.I. 2015/1644), regs. 1(1), **3(3)(b)(iii)**
- F20** Words in s. 1(3) omitted (31.12.2020) by virtue of The Civil Jurisdiction and Judgments (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/479), regs. 1(1), **6(4)(b)** (with regs. 92-95) (as amended by S.I. 2020/1493, regs. 1(1), 5(2)-(5)); 2020 c. 1, Sch. 5 para. 1(1)
- F21** Words in s. 1(3) omitted (31.12.2020) by virtue of The Jurisdiction and Judgments (Family) (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/519), reg. 1(1), **Sch. para. 12(2)(b)** (with reg. 8) (as amended by S.I. 2020/1574, regs. 1, 5(2)); 2020 c. 1, Sch. 5 para. 1(1)
- F22** Words in s. 1(3) omitted (31.12.2020) by virtue of The Civil Jurisdiction and Judgments (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/479), regs. 1(1), **6(4)(c)(i)** (with regs. 92-95) (as amended by S.I. 2020/1493, regs. 1(1), 5(2)-(5)); 2020 c. 1, Sch. 5 para. 1(1)
- F23** Words in s. 1(3) omitted (31.12.2020) by virtue of The Civil Jurisdiction and Judgments (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/479), regs. 1(1), **6(4)(c)(ii)** (with regs. 92-95) (as amended by S.I. 2020/1493, regs. 1(1), 5(2)-(5)); 2020 c. 1, Sch. 5 para. 1(1)
- F24** S. 1(4) omitted (31.12.2020) by virtue of The Civil Jurisdiction and Judgments (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/479), regs. 1(1), **6(5)** (with regs. 92-95) (as amended by S.I. 2020/1493, regs. 1(1), 5(2)-(5)); 2020 c. 1, Sch. 5 para. 1(1)

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F26² The [F25 Brussels Conventions] to have the force of law.

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Textual Amendments

F25 Words in s. 2 substituted (1.5.1992) by Civil Jurisdiction and Judgments Act 1991 (c. 12, SIF 45:3), s. 3, **Sch. 2 para.1** (with s. 4); S.I. 1992/745, **art.2**

F26 S. 2 omitted (31.12.2020) by virtue of The Civil Jurisdiction and Judgments (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/479), regs. 1(1), 7 (with regs. 92-95) (as amended by S.I. 2020/1493, regs. 1(1), 5(2)-(5)); 2020 c. 1, Sch. 5 para. 1(1)

F28³ Interpretation of the [F27 Brussels Conventions].

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Textual Amendments

F27 Words in s. 3 substituted (1.5.1992) by Civil Jurisdiction and Judgments Act 1991 (c. 12, SIF 45:3), s. 3, **Sch. 2 para.1** (with s. 4); S.I. 1992/745, **art. 2**

F28 S. 3 omitted (31.12.2020) by virtue of The Civil Jurisdiction and Judgments (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/479), regs. 1(1), 8 (with regs. 92-95) (as amended by S.I. 2020/1493, regs. 1(1), 5(2)-(5)); 2020 c. 1, Sch. 5 para. 1(1)

3A The Lugano Convention to have the force of law.

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Textual Amendments

F29 S. 3A repealed (1.1.2010) by The Civil Jurisdiction and Judgments Regulations 2009 (S.I. 2009/3131), **reg. 4** (with reg. 48)

3B Interpretation of the Lugano Convention.

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Textual Amendments

F30 S. 3B repealed (1.1.2010) by The Civil Jurisdiction and Judgments Regulations 2009 (S.I. 2009/3131), **reg. 4** (with reg. 48)

[F31^{3C} The 1996 Hague Convention to have the force of law

- (1) The 1996 Hague Convention shall have the force of law in the United Kingdom.
- (2) For the purposes of this Act the 1996 Hague Convention is to be read together with the following declarations made by the United Kingdom on 27th July 2012—

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- (a) the declaration under Article 29 of the Convention, concerning applicable territorial units;
 - (b) the declaration under Article 34 of the Convention, concerning communication of requests under paragraph 1 of that Article;
 - (c) the declaration under Article 54 of the Convention, concerning the use of French.
- (3) For convenience of reference there are set out in Schedules 3D and 3E respectively—
- (a) the English text of the 1996 Hague Convention;
 - (b) the declarations referred to in subsection (2).

Textual Amendments

- F31** Ss. 3C-3E inserted (31.12.2020) by [Private International Law \(Implementation of Agreements\) Act 2020 \(c. 24\)](#), **ss. 1(2)**, 4(3) (with s. 3(1), Sch. 5 paras. 7, 8)

3D The 2005 Hague Convention to have the force of law

- (1) The 2005 Hague Convention shall have the force of law in the United Kingdom.
- (2) For the purposes of this Act the 2005 Hague Convention is to be read together with ^{F32}[the declarations made by the United Kingdom on 28th September 2020 under Article 21 of the Convention, concerning insurance contracts].
- ^{F33}(3) For convenience of reference there are set out in Schedules 3F and 3FA respectively—
- (a) the English text of the 2005 Hague Convention;
 - (b) the declarations referred to in subsection (2).]

Textual Amendments

- F31** Ss. 3C-3E inserted (31.12.2020) by [Private International Law \(Implementation of Agreements\) Act 2020 \(c. 24\)](#), **ss. 1(2)**, 4(3) (with s. 3(1), Sch. 5 paras. 7, 8)
- F32** Words in s. 3D(2) substituted (26.1.2022) by [The Civil Jurisdiction and Judgments \(2005 Hague Convention and 2007 Hague Convention\) \(Amendment\) Regulations 2022 \(S.I. 2022/77\)](#), regs. 1(2), **2(2)(a)**
- F33** S. 3D(3) substituted (26.1.2022) by [The Civil Jurisdiction and Judgments \(2005 Hague Convention and 2007 Hague Convention\) \(Amendment\) Regulations 2022 \(S.I. 2022/77\)](#), regs. 1(2), **2(2)(b)**

3E The 2007 Hague Convention to have the force of law

- (1) The 2007 Hague Convention shall have the force of law in the United Kingdom.
- ^{F34}(2) For the purposes of this Act the 2007 Hague Convention is to be read together with the following reservations and declarations made by the United Kingdom on 28th September 2020—
- (a) the declaration under Article 2(3) of the Convention, concerning spousal support;
 - (b) the reservation under Article 44(3) of the Convention, concerning the use of French;

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- (c) the declaration under Article 11(1)(g) of the Convention, concerning application contents;
- (d) the unilateral declaration concerning the application of the Convention.]

[^{F35}(3) For convenience of reference there are set out in Schedules 3G and 3GA respectively—

- (a) the English text of the 2007 Hague Convention;
- (b) the reservations and declarations referred to in subsection (2).]]

Textual Amendments

- F31** Ss. 3C-3E inserted (31.12.2020) by [Private International Law \(Implementation of Agreements\) Act 2020 \(c. 24\)](#), **ss. 1(2)**, 4(3) (with s. 3(1), Sch. 5 paras. 7, 8)
- F34** S. 3E(2) substituted (26.1.2022) by [The Civil Jurisdiction and Judgments \(2005 Hague Convention and 2007 Hague Convention\) \(Amendment\) Regulations 2022 \(S.I. 2022/77\)](#), regs. 1(2), **2(3)(a)**
- F35** S. 3E(3) substituted (26.1.2022) by [The Civil Jurisdiction and Judgments \(2005 Hague Convention and 2007 Hague Convention\) \(Amendment\) Regulations 2022 \(S.I. 2022/77\)](#), regs. 1(2), **2(3)(b)**

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