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**Changes to legislation:** There are currently no known outstanding effects for the Private International Law (Implementation of Agreements) Act 2020, SCHEDULE 5. (See end of Document for details)

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## SCHEDULES

### SCHEDULE 5

Section 1

#### CONSEQUENTIAL AND TRANSITIONAL PROVISION

#### PART 1

##### CONSEQUENTIAL PROVISION

##### *Civil Jurisdiction and Judgments Act 1982 (c. 27)*

- 1 In section 48 of the Civil Jurisdiction and Judgments Act 1982 (matters for which rules of court may provide), in subsection (1), before “the 2007 Hague Convention” insert “ the 1996 Hague Convention, ”.

##### *European Union (Withdrawal) Act 2018 (c. 16)*

- 2 Section 4 of the European Union (Withdrawal) Act 2018 (saving for rights etc under section 2(1) of the European Communities Act 1972) ceases to apply to rights, powers, liabilities, obligations, restrictions, remedies and procedures that are derived from—
- (a) the Convention on Jurisdiction, Applicable Law, Recognition, Enforcement and Co-operation in respect of Parental Responsibility and Measures for the Protection of Children concluded on 19th October 1996 at The Hague,
  - (b) the Convention on Choice of Court Agreements concluded on 30th June 2005 at The Hague, or
  - (c) the Convention on the International Recovery of Child Support and Other Forms of Family Maintenance done at The Hague on 23 November 2007.

##### *Civil Jurisdiction and Judgments (Hague Convention on Choice of Court Agreements 2005) (EU Exit) Regulations 2018 (S.I. 2018/1124)*

- 3 (1) The Civil Jurisdiction and Judgments (Hague Convention on Choice of Court Agreements 2005) (EU Exit) Regulations 2018 are amended as follows.
- (2) In Part 1 (introduction), omit regulation 2.
  - (3) Omit Part 2 (the rights etc deriving from the 2005 Hague Convention).
  - (4) In Part 3 (modification and amendment of primary and secondary legislation)—
    - (a) in the heading—
      - (i) omit “Modification and”;
      - (ii) omit “and Secondary”;
    - (b) omit regulation 7.

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*International Recovery of Maintenance (Hague Convention on the International Recovery of Child Support and Other Forms of Family Maintenance 2007) (EU Exit) Regulations 2018 (S.I. 2018/1125)*

- 4 (1) The International Recovery of Maintenance (Hague Convention on the International Recovery of Child Support and Other Forms of Family Maintenance 2007) (EU Exit) Regulations 2018 are amended as follows.
- (2) In Part 1 (introduction), omit regulation 2.
- (3) Omit Part 2 (the rights etc deriving from the 2007 Hague Convention).
- (4) Omit Part 3 (modification and amendment of primary and secondary legislation).

*Civil Jurisdiction and Judgments (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/479)*

- 5 In the Civil Jurisdiction and Judgments (Amendment) (EU Exit) Regulations 2019, omit regulations 5 and 9.

*Council Decision 2008/431/EC*

- 6 Council Decision of 5 June 2008 authorising certain Member States to ratify, or accede to, in the interest of the European Community, the 1996 Hague Convention on Jurisdiction, Applicable Law, Recognition, Enforcement and Cooperation in respect of Parental Responsibility and Measures for the Protection of Children and authorising certain Member States to make a declaration on the application of the relevant internal rules of Community law (2008/431/EC) is revoked.

## PART 2

### TRANSITIONAL PROVISION

*Interpretation of the 2005 Hague Convention as it has the force of law in the UK*

- 7 For the purposes of Article 16 of the 2005 Hague Convention, as it has the force of law in the United Kingdom by virtue of section 3D(1) of the Civil Jurisdiction and Judgments Act 1982 (as inserted by section 1(2) of this Act), the date on which the 2005 Hague Convention entered into force for the United Kingdom is 1 October 2015, and accordingly references in the Convention to a Contracting State are to be read as including, without interruption from that date, the United Kingdom.

*Interpretation of the 2007 Hague Convention as it has the force of law in the UK*

- 8 For the purposes of Article 56 of the 2007 Hague Convention, as it has the force of law in the United Kingdom by virtue of section 3E(1) of the Civil Jurisdiction and Judgments Act 1982 (as inserted by section 1(2) of this Act), the date on which the 2007 Hague Convention entered into force for the United Kingdom is 1 August 2014, and accordingly references in the Convention to a Contracting State are to be read as including, without interruption from that date, the United Kingdom.

*Interpretation of Part 2*

- 9 In this Part of this Schedule—

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“the 2005 Hague Convention” means the Convention on Choice of Court Agreements concluded on 30 June 2005 at The Hague;

“the 2007 Hague Convention” means the Convention on the International Recovery of Child Support and Other Forms of Family Maintenance concluded on 23 November 2007 at The Hague.

**Changes to legislation:**

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