
STATUTORY INSTRUMENTS

1997 No. 302

JUDGMENTS

**The Civil Jurisdiction and Judgments
Act 1982 (Interim Relief) Order 1997**

Made - - - - *12th February 1997*
Laid before Parliament *24th February 1997*
Coming into force - - *1st April 1997*

At the Court at Buckingham Palace, the 12th day of February 1997

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, in exercise of the power conferred on Her by section 25(3) of the Civil Jurisdiction and Judgments Act 1982(1), is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:—

Modifications etc. (not altering text)

C1 Order applied (with modifications) (31.12.2020) by [The Civil Jurisdiction and Judgments \(Hague Convention on Choice of Court Agreements 2005\) \(EU Exit\) Regulations 2018 \(S.I. 2018/1124\)](#), regs. 1, 7(3); 2020 c. 1, Sch. 5 para. 1(1)

1. This Order may be cited as the Civil Jurisdiction and Judgments Act 1982 (Interim Relief) Order 1997 and shall come into force on 1st April 1997.

Commencement Information

II [Art. 1](#) in force at 1.4.1997, see [art. 1](#)

2. The High Court in England and Wales or Northern Ireland shall have power to grant interim relief under section 25(1) of the Civil Jurisdiction and Judgments Act 1982 in relation to proceedings of the following descriptions, namely—

(1) 1982 c. 27; section 25 has been amended by paragraph 12 of Schedule 2 to the Civil Jurisdiction and Judgments Act 1991 (c. 12) and paragraph (c) of section 25(3) has been repealed by section 107(2) of the Arbitration Act 1996 (c. 23) with effect from 31st January 1997.

- (a) proceedings commenced or to be commenced otherwise than in ^{F1}... [^{F2}, a 2005 Hague Convention State]^{F3}... ;
- (b) [^{F4}proceedings whose subject-matter is not within [^{F5}scope of the 2005 Hague Convention as determined by Articles 1 and 2 of that Convention]].

- F1** Words in art. 2(a) omitted (31.12.2020) by virtue of The Civil Jurisdiction and Judgments (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/479), regs. 1(1), **71(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)
- F2** Words in art. 2(a) 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), **21**
- F3** Words in art. 2(a) omitted (31.12.2020) by virtue of The Civil Jurisdiction and Judgments (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/479), regs. 1(1), **71(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)
- F4** Art. 2(b) substituted (1.3.2002) by The Civil Jurisdiction and Judgments Order 2001 (S.I. 2001/3929), art. 1(b), **Sch. 3 para. 26(b)**
- F5** Words in art. 2(b) substituted (31.12.2020) by The Civil Jurisdiction and Judgments (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/479), regs. 1(1), **71(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)

Commencement Information

- I2** Art. 2 in force at 1.4.1997, see **art. 1**

N. H. Nicholls
Clerk of the Privy Council

EXPLANATORY NOTE

(This note is not part of the Order)

This Order enlarges the power of the High Court in England and Wales or Northern Ireland to grant interim relief in aid of legal proceedings in other countries. At present such relief can only be granted where the principal proceedings are taking place in a country which is a party to the 1968 Brussels Convention or the 1988 Lugano Convention on jurisdiction and the enforcement of judgments in civil and commercial matters and where the proceedings are within the scope of those Conventions. This Order removes those two limitations from the Courts' powers.

Changes to legislation:

There are currently no known outstanding effects for the The Civil Jurisdiction and Judgments Act 1982 (Interim Relief) Order 1997.