
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:—

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.

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—

- (a) proceedings commenced or to be commenced otherwise than in a Brussels or Lugano Contracting State;
- (b) proceedings whose subject-matter is not within the scope of the 1968 Convention as determined by Article 1 thereof.

N. H. Nicholls
Clerk of the Privy Council

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12 of Schedule 2 to the Civil Jurisdiction and Judgments Act 1991 (c. 12) and paragraph (c) of section 25(3) has been repealed by section 107(2) of the Arbitration Act 1996 (c. 23) with effect from 31st January 1997.

Status: *This is the original version (as it was originally made).*

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.