STATUTORY INSTRUMENTS

2019 No. 479

The Civil Jurisdiction and Judgments (Amendment) (EU Exit) Regulations 2019

Part 6

Savings

Interpretation of this Part

95.—(1) In this Part—

"relevant instrument" means an instrument mentioned in paragraph (2) of regulation 92;

"Regulation (EU) No 1215/2012" 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, including as applied by virtue of the Agreement between the European Community and the Kingdom of Denmark on Jurisdiction and the Recognition and Enforcement of Judgments in Civil and Commercial matters, of 19 October 2005;

"Regulation (EC) No 44/2001" means Council Regulation (EC) No 44/2001 on Jurisdiction and the Recognition and Enforcement of Judgments in Civil and Commercial matters, including as applied by virtue of the Agreement between the European Community and the Kingdom of Denmark on Jurisdiction and the Recognition and Enforcement of Judgments in Civil and Commercial matters, of 19 October 2005;

"the 2007 Lugano Convention" means the Convention on Jurisdiction and the Recognition and Enforcement of Judgments in Civil and Commercial matters, between the European Community and the Republic of Iceland, the Kingdom of Norway, the Swiss Confederation and the Kingdom of Denmark, signed on behalf of the Community on 30 October 2007.

(2) In this Part, a court shall be deemed to be seised—

(a) at the time when the document instituting the proceedings or an equivalent document is lodged with the court, provided that the applicant has not subsequently failed to take the steps the applicant was required to take to have service effected on the respondent; or

(b) if the document has to be served before being lodged with the court, at the time when it is received by the authority responsible for service (being the first authority receiving the document to be served), provided that the applicant has not subsequently failed to take the steps the applicant was required to take to have the document lodged with the court.

(3) In paragraph (2), references to "applicant" include "claimant" or "pursuer", and references to "respondent" include "defendant" or "defender".

(4) Nothing in this Part shall be interpreted as saving any obligation upon the United Kingdom under any of the relevant instruments to notify the Depository or the European Commission, as the case may be, of any matter, or update any such notification after exit day.