

---

## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations are made in exercise of the powers in section 8 of, and paragraph 21 of Schedule 7 to, the European Union (Withdrawal) Act 2018 in order to address failures of retained EU law to operate effectively in England and Wales and Northern Ireland and other deficiencies arising from the withdrawal of the United Kingdom from the European Union (and in particular, the deficiencies under paragraphs (c), (d) and (g) of section 8(2) and paragraph (a) of section 8(3)).

These Regulations make amendments to the powers in the Civil Partnership Act 2004 and Domicile and Matrimonial Proceedings Act 1973 as they extend to England and Wales and Northern Ireland to make provision corresponding to [EC Regulation 2201/2003](#) concerning jurisdiction and the recognition and enforcement of judgments in matrimonial matters and the matters of parental responsibility. [EC Regulation 2201/2003](#), as incorporated by section 3 of the European Union (Withdrawal) Act 2018, is being revoked by the Jurisdiction and Judgments (Family) (Amendment etc.) (EU Exit) Regulations 2019. Part 2 amends the primary legislation powers that enable future regulations to be made.

Part 3 amends the existing regulations that make corresponding provision for civil partners and same sex married couples to [EC Regulation 2201/2003](#). The amendments to these regulations correspond to the amendments to divorce jurisdiction and position on divorce recognition in the Jurisdiction and Judgments (Family) (Amendment etc.) (EU Exit) Regulations 2019.

Regulation 7 provides that the amendments made by these Regulations do not apply in relation to proceedings issued in England and Wales or Northern Ireland before exit day.

A full impact assessment of the effect that this instrument will have on the costs of business, the voluntary sector and the public sector is available from the Ministry of Justice, 102 Petty France, London, SW1H 9AJ and is published with an Explanatory Memorandum alongside the instrument on [www.legislation.gov.uk](http://www.legislation.gov.uk).