
STATUTORY INSTRUMENTS

1998 No. 3132

The Civil Procedure Rules 1998

[^{F1}PART 74

ENFORCEMENT OF JUDGMENTS IN DIFFERENT JURISDICTIONS

**[^{F1}I: ENFORCEMENT IN ENGLAND AND
WALES OF JUDGMENTS OF FOREIGN COURTS**

Textual Amendments

- F1** Pt. 74 inserted (2.12.2002) by [The Civil Procedure \(Amendment\) Rules 2002 \(S.I. 2002/2058\)](#), rule 1(b), [Sch. 8](#)

Interpretation

74.2.—(1) In this Section—

- (a) “Contracting State” has the meaning given in section 1(3) of the 1982 Act;
- [^{F2}(b) “Regulation State” means a Member State;]
- (c) “judgment” means, subject to any other enactment, any judgment given by a foreign court or tribunal, whatever the judgment may be called, and includes—
 - (i) a decree;
 - (ii) an order;
 - (iii) a decision;
 - (iv) a writ of execution [^{F3}or a writ of control]; and
 - (v) the determination of costs by an officer of the court;
- (d) “State of origin”, in relation to any judgment, means the State in which that judgment was given[^{F4};]
- [“writ of control” is to be construed in accordance with section 62(4) of the Tribunals,
- ^{F5}(e) Courts and Enforcement Act 2007;
- (f) “writ of execution” includes—
 - (i) a writ of possession;
 - (ii) a writ of delivery;
 - (iii) a writ of sequestration;
 - (iv) a writ of fieri facias de bonis ecclesiasticis,and any further writ in favour of any such writs, but does not include a writ of control.]

Status: Point in time view as at 31/01/2019.

Changes to legislation: There are currently no known outstanding effects for the The Civil Procedure Rules 1998, Cross Heading: I: ENFORCEMENT IN ENGLAND AND WALES OF JUDGMENTS OF FOREIGN COURTS. (See end of Document for details)

- (2) For the purposes of this Section, “domicile” is to be determined—
- (a) in an application under the 1982 Act^{F6} or the Lugano Convention], in accordance with sections 41 to 46 that Act;
 - (b) in an application under the Judgments Regulation, in accordance with paragraphs 9 to 12 of Schedule 1 to the Civil Jurisdiction and Judgments Order 2001⁽¹⁾.

Textual Amendments

- F2** Words in rule 74.2(1)(b) substituted (1.7.2007) by [The Civil Jurisdiction and Judgments Regulations 2007 \(S.I. 2007/1655\)](#), reg. 1, **Sch. para. 31(b)**
- F3** Words in rule 74.2(1)(c)(iv) inserted (6.4.2014) by [The Civil Procedure \(Amendment\) Rules 2014 \(S.I. 2014/407\)](#), rules 2(3), **34(b)(i)** (with rule 41)
- F4** Rule 74.2(1)(d): semicolon substituted for full stop (6.4.2014) by [The Civil Procedure \(Amendment\) Rules 2014 \(S.I. 2014/407\)](#), rules 2(3), **34(b)(ii)** (with rule 41)
- F5** Rule 74.2(1)(e)(f) inserted (6.4.2014) by [The Civil Procedure \(Amendment\) Rules 2014 \(S.I. 2014/407\)](#), rules 2(3), **34(b)(iii)** (with rule 41)
- F6** Words in rule 74.2(2)(a) inserted (1.1.2010) by [The Civil Jurisdiction and Judgments Regulations 2009 \(S.I. 2009/3131\)](#), regs. 1(1), **36** (with reg. 48)

Applications for registration

- 74.3.—**(1) This Section provides rules about applications under—
- (a) section 9 of the 1920 Act, in respect of judgments to which Part II of that Act applies;
 - (b) section 2 of the 1933 Act, in respect of judgments to which Part I of that Act applies;
 - ^{F7}(c) sections 4 and 4B of the 1982 Act; and]
 - ^{F8}(d)
- [the Lugano Convention,]
- ^{F9}[^{F10}(d)]

for the registration of foreign judgments for enforcement in England and Wales.

- (2) Applications—
- (a) must be made to the High Court; and
 - (b) may be made without notice.

Textual Amendments

- F7** Rule 74.3(1)(c) substituted (1.10.2015) by [The Civil Jurisdiction and Judgments \(Hague Convention on Choice of Court Agreements 2005\) Regulations 2015 \(S.I. 2015/1644\)](#), reg. 1(1), **Sch. para. 7**
- F8** Rule 74.3(1)(d) omitted (10.1.2015) by virtue of [The Civil Procedure \(Amendment No. 7\) Rules 2014 \(S.I. 2014/2948\)](#), rules 2, **5(4)(b)** (with rule 6)
- F9** Rule 74.3(1)(e) and word inserted (1.1.2010) by [The Civil Jurisdiction and Judgments Regulations 2009 \(S.I. 2009/3131\)](#), regs. 1(1), **37** (with reg. 48)
- F10** Rule 74.3(1)(e) renumbered as rule 74.3(1)(d) (10.1.2015) by [The Civil Procedure \(Amendment No. 7\) Rules 2014 \(S.I. 2014/2948\)](#), rules 2, **5(4)(c)** (with rule 6)

(1) 1997 c. 27.

[^{F11} Enforcement under the Judgments Regulation

74.3A.—(1) This Section also provides rules about—

- (a) the enforcement of foreign judgments in England and Wales under the Judgments Regulation; and
- (b) applications for the refusal of recognition and enforcement under the Judgments Regulation.]

Textual Amendments

F11 Rule 74.3A inserted (10.1.2015) by The Civil Procedure (Amendment No. 7) Rules 2014 (S.I. 2014/2948), rules 2, **5(5)** (with rule 6)

Evidence in support

74.4.—(1) An application for registration of a judgment under the 1920, 1933 or 1982 Act must be supported by written evidence exhibiting—

- (a) the judgment or a verified or certified or otherwise authenticated copy of it; and
- (b) where the judgment is not in English, a translation of it into English—
 - (i) certified by a notary public or other qualified person; or
 - (ii) accompanied by written evidence confirming that the translation is accurate.
- (2) The written evidence in support of the application must state—
 - (a) the name of the judgment creditor and his address for service within the jurisdiction;
 - (b) the name of the judgment debtor and his address or place of business, if known;
 - (c) the grounds on which the judgment creditor is entitled to enforce the judgment;
 - (d) in the case of a money judgment, the amount in respect of which it remains unsatisfied; and
 - (e) where interest is recoverable on the judgment under the law of the State of origin—
 - (i) the amount of interest which has accrued up to the date of the application, or
 - (ii) the rate of interest, the date from which it is recoverable, and the date on which it ceases to accrue.
- (3) Written evidence in support of an application under the 1920 Act must also state that the judgment is not a judgment—
 - (a) which under section 9 of that Act may not be ordered to be registered; or
 - (b) to which section 5 of the Protection of Trading Interests Act 1980(2) applies.
- (4) Written evidence in support of an application under the 1933 Act must also—
 - (a) state that the judgment is a money judgment;
 - (b) confirm that it can be enforced by execution in the State of origin;
 - (c) confirm that the registration could not be set aside under section 4 of that Act;
 - (d) confirm that the judgment is not a judgment to which section 5 of the Protection of Trading Interests Act 1980 applies;
 - (e) where the judgment contains different provisions, some but not all of which can be registered for enforcement, set out those provisions in respect of which it is sought to register the judgment; and

(2) 1980 c. 58.

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Changes to legislation: There are currently no known outstanding effects for the The Civil Procedure Rules 1998, Cross Heading: I: ENFORCEMENT IN ENGLAND AND WALES OF JUDGMENTS OF FOREIGN COURTS. (See end of Document for details)

- (f) be accompanied by any further evidence as to—
- (i) the enforceability of the judgment in the State of origin, and
 - (ii) the law of that State under which any interest has become due under the judgment, which may be required under the relevant Order in Council extending Part I of the 1933 Act to that State.
- (5) Written evidence in support of an application under the 1982 Act must also exhibit—
- (a) documents which show that, under the law of the State of origin, the judgment is enforceable on the judgment debtor and has been served;
 - (b) in the case of a judgment in default, a document which establishes that the party in default was served with the document instituting the proceedings or with an equivalent document; and
 - (c) where appropriate, a document showing that the judgment creditor is in receipt of legal aid in the State of origin.

[^{F12}(5A) Written evidence in support of an application under section 4B of the 1982 Act (registration and enforcement of judgments under the 2005 Hague Convention) must also include any other evidence required by Article 13 of the 2005 Hague Convention.]

[^{F13}(6) An application for registration under ^{F14}... the Lugano Convention must, in addition to the evidence required by ^{F15}... that Convention, be supported by the evidence required by paragraphs (1)(b) and (2)(e) of this rule.]

Textual Amendments

- F12** Rule 74.4(5A) inserted (1.10.2015) by [The Civil Jurisdiction and Judgments \(Hague Convention on Choice of Court Agreements 2005\) Regulations 2015 \(S.I. 2015/1644\)](#), reg. 1(1), **Sch. para. 8**
- F13** Rule 74.4(6) substituted (1.1.2010) by [The Civil Jurisdiction and Judgments Regulations 2009 \(S.I. 2009/3131\)](#), regs. 1(1), **38** (with reg. 48)
- F14** Words in rule 74.4(6) omitted (10.1.2015) by virtue of [The Civil Procedure \(Amendment No. 7\) Rules 2014 \(S.I. 2014/2948\)](#), rules 2, **5(6)(a)** (with rule 6)
- F15** Words in rule 74.4(6) omitted (10.1.2015) by virtue of [The Civil Procedure \(Amendment No. 7\) Rules 2014 \(S.I. 2014/2948\)](#), rules 2, **5(6)(b)** (with rule 6)

[^{F16}Procedure for enforcing judgments under the Judgments Regulation

74.4A. A person seeking the enforcement of a judgment which is enforceable under the Judgments Regulation must, except in a case falling within article 43(3) of the Regulation (protective measures), provide the documents required by article 42 of the Regulation.]

Textual Amendments

- F16** Rule 74.4A inserted (10.1.2015) by [The Civil Procedure \(Amendment No. 7\) Rules 2014 \(S.I. 2014/2948\)](#), rules 2, **5(7)** (with rule 6)

Security for costs

74.5.—(1) Subject to paragraphs (2) and (3), section II of Part 25 applies to an application for security for the costs of—

- (a) the application for registration;

(b) any proceedings brought to set aside the registration; ^{F17} ...

(c) any appeal against the granting of the registration [^{F18}; and]

[any application relating to the recognition or enforcement of a judgment pursuant to the ^{F19}(d) Judgments Regulation]

as if the judgment creditor were a claimant.

(2) A judgment creditor making an application under the 1982 Act or [^{F20}, the Lugano Convention,] the Judgments Regulation may not be required to give security solely on the ground that he is resident out of the jurisdiction.

(3) Paragraph (1) does not apply to an application under the 1933 Act where the relevant Order in Council otherwise provides.

Textual Amendments

F17 Word in rule 74.5(1)(b) omitted (10.1.2015) by virtue of [The Civil Procedure \(Amendment No. 7\) Rules 2014 \(S.I. 2014/2948\)](#), rules 2, **5(8)(a)** (with rule 6)

F18 Word in rule 74.5(1)(c) substituted (10.1.2015) by virtue of [The Civil Procedure \(Amendment No. 7\) Rules 2014 \(S.I. 2014/2948\)](#), rules 2, **5(8)(b)** (with rule 6)

F19 Rule 74.5(1)(d) inserted (10.1.2015) by virtue of [The Civil Procedure \(Amendment No. 7\) Rules 2014 \(S.I. 2014/2948\)](#), rules 2, **5(8)(c)** (with rule 6)

F20 Words in rule 74.5(2) inserted (1.1.2010) by [The Civil Jurisdiction and Judgments Regulations 2009 \(S.I. 2009/3131\)](#), regs. 1(1), **39** (with reg. 48)

Registration orders

74.6.—(1) An order granting permission to register a judgment (“registration order”) must be drawn up by the judgment creditor and served on the judgment debtor—

(a) by delivering it to [^{F21}the judgment debtor] personally;

[^{F22}(b) by any of the methods of service permitted under the Companies Act 2006; or]

(c) in such other manner as the court may direct.

(2) Permission is not required to serve a registration order out of the jurisdiction, and rules [^{F23}6.40, 6.42, 6.43 and 6.46] apply to such an order as they apply to a claim form.

(3) A registration order must state—

(a) full particulars of the judgment registered;

(b) the name of the judgment creditor and his address for service within the jurisdiction;

(c) the right of the judgment debtor—

(i) in the case of registration following an application under the 1920 or the 1933 Act, to apply to have the registration set aside;

(ii) in the case of registration following an application under the 1982 Act [^{F24}, the Lugano Convention,]^{F25}... to appeal against the registration order;

(d) the period within which such an application or appeal may be made; and

(e) that no measures of enforcement will be taken before the end of that period, other than measures ordered by the court to preserve the property of the judgment debtor.

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Changes to legislation: There are currently no known outstanding effects for the The Civil Procedure Rules 1998, Cross Heading: I: ENFORCEMENT IN ENGLAND AND WALES OF JUDGMENTS OF FOREIGN COURTS. (See end of Document for details)

Textual Amendments

- F21** Words in rule 74.6(1)(a) substituted (1.10.2008) by [The Civil Procedure \(Amendment\) Rules 2008 \(S.I. 2008/2178\)](#), rules 1(2), **37(a)(i)**
- F22** Rule 74.6(1)(b) substituted (1.10.2009) by [The Civil Procedure \(Amendment\) Rules 2009 \(S.I. 2009/2092\)](#), rules 1(2), **15(a)**
- F23** Words in rule 74.6(2) substituted (1.10.2008) by [The Civil Procedure \(Amendment\) Rules 2008 \(S.I. 2008/2178\)](#), rules 1(2), **37(a)(iii)**
- F24** Words in rule 74.6(3)(c)(ii) substituted (1.1.2010) by [The Civil Jurisdiction and Judgments Regulations 2009 \(S.I. 2009/3131\)](#), regs. 1(1), **40** (with reg. 48)
- F25** Words in rule 74.6(3)(c)(ii) omitted (10.1.2015) by virtue of [The Civil Procedure \(Amendment No. 7\) Rules 2014 \(S.I. 2014/2948\)](#), rules 2, **5(9)(b)** (with rule 6)

Applications to set aside registration

74.7.—(1) An application to set aside registration under the 1920 or the 1933 Act must be made within the period set out in the registration order.

(2) The court may extend that period; but an application for such an extension must be made before the end of the period as originally fixed or as subsequently extended.

(3) The court hearing the application may order any issue between the judgment creditor and the judgment debtor to be tried.

[^{F26}Refusal of recognition or enforcement under the Judgments Regulation

74.7A.—(1) An application under article 45 or 46 of the Judgments Regulation that the court should refuse to recognise or enforce a judgment must be made—

- (a) in accordance with Part 23; and
- (b) to the court in which the judgment is being enforced or, if the judgment debtor is not aware of any proceedings relating to enforcement, the High Court.

(2) An appeal against a decision granting or refusing an application for refusal of recognition or enforcement of a judgment under the Judgments Regulation must be made in accordance with Part 52, subject to the following provisions of this rule.

(3) Permission is not required to—

- (a) appeal; or
- (b) put in evidence.

(4) Unless the court orders otherwise, the judgment debtor must, as soon as practicable, serve copies of any order made under article 45 or 46 or in any appeal under article 49 on—

- (a) all other parties to the proceedings and any other person affected by the order;
- (b) any court in which proceedings relating to enforcement of the judgment are pending in England and Wales; and
- (c) any enforcement agent or enforcement officer (as defined in rule 83.1(2)) instructed by the judgment creditor,

and any such order will not have effect on any person until it has been served.

(5) The court may require the judgment creditor to disclose to the judgment debtor the court or courts in which any proceedings relating to enforcement of the judgment are pending in England and Wales.

Textual Amendments

F26 Rules 74.7A-74.7C inserted (10.1.2015) by [The Civil Procedure \(Amendment No. 7\) Rules 2014 \(S.I. 2014/2948\)](#), rules 2, **5(10)** (with rule 6)

Relief against enforcement under the Judgments Regulation

74.7B.—(1) An application for relief under article 44 of the Judgments Regulation must be made—

- (a) in accordance with Part 23; and
- (b) to the court in which the judgment is being enforced or, if the judgment debtor is not aware of any proceedings relating to enforcement, the High Court.

(2) The judgment debtor must, as soon as practicable, serve copies of any order made under article 44 on—

- (a) all other parties to the proceedings and any other person affected by the order;
- (b) any court in which proceedings relating to enforcement of the judgment are pending in England and Wales; and
- (c) any enforcement agent or enforcement officer (as defined in rule 83.1(2)) instructed by the judgment creditor,

and any such order will not have effect on any person until it has been served.

Textual Amendments

F26 Rules 74.7A-74.7C inserted (10.1.2015) by [The Civil Procedure \(Amendment No. 7\) Rules 2014 \(S.I. 2014/2948\)](#), rules 2, **5(10)** (with rule 6)

Suspension of proceedings in which a judgment is invoked under the Judgments Regulation

74.7C.—(1) The court may suspend proceedings under article 38 of the Judgments Regulation either on its own initiative or on the application of any party.

(2) An application for suspension of proceedings under article 38 of the Judgments Regulation must be made—

- (a) in accordance with Part 23; and
- (b) to the court in which the judgment is invoked.

(3) The judgment debtor must, as soon as practicable, serve copies of any order made under article 38 on—

- (a) all other parties to the proceedings and any other person affected by the order;
- (b) any court in which proceedings relating to enforcement of the judgment are pending in England and Wales; and
- (c) any enforcement agent or enforcement officer (as defined in rule 83.1(2)) instructed by the judgment creditor,

and any such order will not have effect on any person until it has been served.]

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Textual Amendments

F26 Rules 74.7A-74.7C inserted (10.1.2015) by [The Civil Procedure \(Amendment No. 7\) Rules 2014 \(S.I. 2014/2948\)](#), rules 2, **5(10)** (with rule 6)

Appeals

74.8.—(1) An appeal against the granting or the refusal of registration under the 1982 Act or the [^{F27}Lugano Convention]^{F28} ... must be made in accordance with Part 52, subject to the following provisions of this rule.

(2) Permission is not required—

- (a) to appeal; or
- (b) to put in evidence.

(3) If—

- (a) the judgment debtor is not domiciled within a Contracting State ^{F29} ..., and
- (b) an application to extend the time for appealing is made within two months of service of the registration order,

the court may extend the period for filing an appellant's notice against the order granting registration, but not on grounds of distance.

(4) The appellant's notice must be served—

- (a) where the appeal is against the granting of registration, within—
 - (i) one month; or
 - (ii) where service is to be effected on a party not domiciled within the jurisdiction, two months, of service of the registration order;
- (b) where the appeal is against the refusal of registration, within one month of the decision on the application for registration.

Textual Amendments

F27 Words in rule 74.8(1) inserted (1.1.2010) by [The Civil Jurisdiction and Judgments Regulations 2009 \(S.I. 2009/3131\)](#), regs. 1(1), **41** (with reg. 48)

F28 Words in rule 74.8(1) omitted (10.1.2015) by virtue of [The Civil Procedure \(Amendment No. 7\) Rules 2014 \(S.I. 2014/2948\)](#), rules 2, **5(11)(a)** (with rule 6)

F29 Words in rule 74.8(3)(a) omitted (10.1.2015) by virtue of [The Civil Procedure \(Amendment No. 7\) Rules 2014 \(S.I. 2014/2948\)](#), rules 2, **5(11)(b)** (with rule 6)

[^{F30}Enforcement

74.9.—(1) In relation to enforcement of a judgment to which the Judgments Regulation applies, the judgment creditor must comply with article 43 of the Regulation.

(2) In relation to a judgment to which the Judgments Regulation does not apply, no steps may be taken to enforce the judgment—

- (a) before the end of the period specified in accordance with rule 74.6(3)(d), or that period as extended by the court; or
- (b) where there is an application under rule 74.7 or an appeal under rule 74.3, until the application or appeal has been determined.

(3) Any party wishing to enforce a judgment to which the Judgments Regulation does not apply must file evidence of the service on the judgment debtor of—

- (a) the registration order; and
- (b) any other relevant order of the court.

(4) Nothing in this rule prevents the court from making orders to preserve the property of the judgment debtor pending final determination of any issue relating to the enforcement of the judgment.]

Textual Amendments

F30 Rule 74.9 substituted (10.1.2015) by [The Civil Procedure \(Amendment No. 7\) Rules 2014 \(S.I. 2014/2948\)](#), rules 2, **5(12)** (with rule 6)

Recognition

[^{F31}74.10.—(1) Registration of a judgment serves as a decision that the judgment is recognised for the purposes of the 1982 Act [^{F32}, the Lugano Convention and the 2005 Hague Convention]^{F33} ...

(2) An application for recognition of a judgment is governed by the same rules as an application for registration of a judgment under the 1982 Act [^{F34}the Lugano Convention or the 2005 Hague Convention]^{F33} ..., except that rule 74.4(5)(a) and (c) does not apply.]

Textual Amendments

F31 Rule 74.10(1)(2) substituted (1.1.2010) by [The Civil Jurisdiction and Judgments Regulations 2009 \(S.I. 2009/3131\)](#), regs. 1(1), **42** (with reg. 48)

F32 Words in rule 74.10(1) substituted (1.10.2015) by [The Civil Jurisdiction and Judgments \(Hague Convention on Choice of Court Agreements 2005\) Regulations 2015 \(S.I. 2015/1644\)](#), reg. 1(1), **Sch. para. 9(2)**

F33 Words in rule 74.10(1)(2) omitted (10.1.2015) by virtue of [The Civil Procedure \(Amendment No. 7\) Rules 2014 \(S.I. 2014/2948\)](#), rules 2, **5(13)(b)** (with rule 6)

F34 Words in rule 74.10(2) substituted (1.10.2015) by [The Civil Jurisdiction and Judgments \(Hague Convention on Choice of Court Agreements 2005\) Regulations 2015 \(S.I. 2015/1644\)](#), reg. 1(1), **Sch. para. 9(3)**

Authentic instruments and court settlements

[^{F35}74.11 The rules governing the registration of judgments under the 1982 Act [^{F36}and] the Lugano Convention [^{F37}and applications for the refusal of recognition or enforcement or suspension of any judgments under] the Judgments Regulation apply as appropriate and with any necessary modifications for the enforcement of—

- (a) authentic instruments which are subject to—
 - (i) article 50 of Schedule 3C to the 1982 Act;
 - (ii) article 57 of the Lugano Convention; and
 - (iii) [^{F38}article 58] of the Judgments Regulation; and
- (b) court settlements which are subject to—
 - (i) article 51 of Schedule 1 to the 1982 Act;
 - (ii) article 58 of the Lugano Convention; ^{F39} ...

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Changes to legislation: There are currently no known outstanding effects for the The Civil Procedure Rules 1998, Cross Heading: I: ENFORCEMENT IN ENGLAND AND WALES OF JUDGMENTS OF FOREIGN COURTS. (See end of Document for details)

- (iii) [^{F40}articles 59 and 60] of the Judgments Regulation [^{F41}; and
(iv) article 12 of the 2005 Hague Convention.]]

Textual Amendments

- F35** Rule 74.11 substituted (1.1.2010) by [The Civil Jurisdiction and Judgments Regulations 2009](#) (S.I. 2009/3131), regs. 1(1), **43** (with [reg. 48](#))
- F36** Word in [rule 74.11](#) substituted (10.1.2015) by virtue of [The Civil Procedure \(Amendment No. 7\) Rules 2014](#) (S.I. 2014/2948), rules 2, **5(14)(a)(i)** (with [rule 6](#))
- F37** Words in [rule 74.11](#) substituted (10.1.2015) by [The Civil Procedure \(Amendment No. 7\) Rules 2014](#) (S.I. 2014/2948), rules 2, **5(14)(a)(ii)** (with [rule 6](#))
- F38** Words in [rule 74.11\(a\)\(iii\)](#) substituted (10.1.2015) by [The Civil Procedure \(Amendment No. 7\) Rules 2014](#) (S.I. 2014/2948), rules 2, **5(14)(b)** (with [rule 6](#))
- F39** Word in [rule 74.11\(b\)\(ii\)](#) omitted (1.10.2015) by virtue of [The Civil Jurisdiction and Judgments \(Hague Convention on Choice of Court Agreements 2005\) Regulations 2015](#) (S.I. 2015/1644), reg. 1(1), **Sch. para. 10(1)(i)**
- F40** Words in [rule 74.11\(b\)\(iii\)](#) substituted (10.1.2015) by [The Civil Procedure \(Amendment No. 7\) Rules 2014](#) (S.I. 2014/2948), rules 2, **5(14)(c)** (with [rule 6](#))
- F41** [Rule 74.11\(b\)\(iv\)](#) and word inserted (1.10.2015) by [The Civil Jurisdiction and Judgments \(Hague Convention on Choice of Court Agreements 2005\) Regulations 2015](#) (S.I. 2015/1644), reg. 1(1), **Sch. para. 10(1)(ii)**

[^{F42}Adaptation of certain orders in foreign judgments subject to the Judgments Regulation

74.11A.—(1) In this rule, an “adaptation order” means an order for the adaptation of a legal remedy which is contained in a foreign judgment but is unknown under the law of England and Wales pursuant to article 54 of the Judgments Regulation.

(2) The court may make an adaptation order on its own initiative or on an application by any party.

(3) In accordance with article 54(1) of the Judgments Regulation, an adaptation order may only result in a remedy whose legal effects are equivalent to those contained in the judgment and which does not produce such effects extending beyond those provided for under the law of England and Wales.

(4) An application for an adaptation order or a challenge under article 54(2) of the Judgments Regulation to the adaptation of any measure without an adaptation order must be made—

- (a) to the High Court; and
(b) in accordance with Part 23.]]

Textual Amendments

- F42** [Rule 74.11A](#) inserted (10.1.2015) by [The Civil Procedure \(Amendment No. 7\) Rules 2014](#) (S.I. 2014/2948), rules 2, **5(15)** (with [rule 6](#))

Status:

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