



# Civil Jurisdiction and Judgments Act 1982

## 1982 CHAPTER 27

### PART I

#### IMPLEMENTATION OF THE CONVENTIONS

##### *Other supplementary provisions*

#### 9 [F<sup>1</sup>Provisions supplementary to Article 26 of the 2005 Hague Convention].

- (1) F<sup>2</sup>... [F<sup>3</sup>Article 26 of the 2005 Hague Convention] (relationship between [F<sup>4</sup>the 2005 Hague Convention] and other conventions to which Contracting States are or may become parties) shall have effect in relation to—
- (a) any statutory provision, whenever passed or made, implementing any such other convention in the United Kingdom; and
  - (b) any rule of law so far as it has the effect of so implementing any such other convention,
- as they have effect in relation to that other convention itself.

F<sup>5</sup>(1A) .....

F<sup>6</sup>(2) .....

#### Textual Amendments

- F1** Words in s. 9 heading substituted (31.12.2020) by [The Civil Jurisdiction and Judgments \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/479\)](#), regs. 1(1), **18(2)** (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 s. 9(1) omitted (31.12.2020) by virtue of [The Civil Jurisdiction and Judgments \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/479\)](#), regs. 1(1), **18(3)(a)** (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)
- F3** Words in s. 9 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), 7

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- F4** Words in s. 9(1) substituted (31.12.2020) by [The Civil Jurisdiction and Judgments \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/479\)](#), regs. 1(1), **18(3)(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)
- F5** S. 9(1A) omitted (25.1.2002) by virtue of S.I. 2001/3929, arts. 1(b), 4, **Sch. 2 para. 2**
- F6** S. 9(2) omitted (1.1.2010) by virtue of [The Civil Jurisdiction and Judgments Regulations 2009 \(S.I. 2009/3131\)](#), **reg. 10(2)** (with [reg. 48](#))

**F7 10 Allocation within U.K. of jurisdiction with respect to trusts and consumer contracts.**

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**Textual Amendments**

**F7** S. 10 omitted (31.12.2020) by virtue of [The Civil Jurisdiction and Judgments \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/479\)](#), regs. 1(1), **19** (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)

**F8 11 Proof and admissibility of certain judgments and related documents.**

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**Textual Amendments**

**F8** S. 11 omitted (31.12.2020) by virtue of [The Civil Jurisdiction and Judgments \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/479\)](#), regs. 1(1), **20** (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)

**F9 11A Proof and admissibility of certain judgments and related documents for the purposes of the Lugano Convention**

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**Textual Amendments**

**F9** S. 11A omitted (31.12.2020) by virtue of [The Civil Jurisdiction and Judgments \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/479\)](#), regs. 1(1), **21** (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)

**[F10 11B. Proof and admissibility of certain judgments and related documents for the purposes of the 2005 Hague Convention**

- (1) For the purposes of the 2005 Hague Convention—
  - (a) a document, duly authenticated, which purports to be a copy of a judgment given by a court of a 2005 Hague Convention State other than the United Kingdom shall without further proof be deemed to be a true copy, unless the contrary is shown; and
  - (b) a certificate issued by the court of the 2005 Hague Convention State of origin, in the form recommended for use under the 2005 Hague Convention and

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published by the Hague Conference on Private International Law, as referred to in Article 13(3) of the 2005 Hague Convention, shall be evidence, and in Scotland sufficient evidence, as to whether the judgment has effect or is enforceable in the 2005 Hague Convention State of origin.

- (2) A document purporting to be a copy of a judgment given by any such court as is mentioned in subsection (1)(a) is duly authenticated for the purposes of this section if it purports—
- (a) to bear the seal of that court; or
  - (b) to be certified by any person in their capacity as judge or officer of that court to be a true copy of a judgment given by that court.
- (3) Nothing in this section shall prejudice the admission in evidence of any document which is admissible apart from this section.]

#### Textual Amendments

**F10** S. 11B 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), **8**

#### Modifications etc. (not altering text)

**C1** S. 11B applied (with modifications) (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), **25(2)**

## 12 Provision for issue of copies of, and certificates in connection with, U.K. judgments.

Rules of court may make provision for enabling any interested party wishing to secure under <sup>F11</sup>... [<sup>F12</sup>the 2005 Hague Convention] the recognition or enforcement in another Contracting State of a judgment given by a court in the United Kingdom to obtain, subject to any conditions specified in the rules—

- (a) a copy of the judgment; and
- (b) a certificate giving particulars relating to the judgment and the proceedings in which it was given.

#### Textual Amendments

**F11** Words in s. 12 omitted (31.12.2020) by virtue of [The Civil Jurisdiction and Judgments \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/479\)](#), regs. 1(1), **22** (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)

**F12** Words in s. 12 substituted (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), **9**

#### Modifications etc. (not altering text)

**C2** S. 12 applied (with modifications) (1.4.1993) by [S.I. 1993/604](#), **art. 5**.

## <sup>F13</sup>13 Modifications to cover authentic instruments and court settlements.

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**Textual Amendments**

**F13** S. 13 omitted (31.12.2020) by virtue of [The Civil Jurisdiction and Judgments \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/479\)](#), regs. 1(1), **23** (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)

**F14 14 Modifications consequential on revision of the Conventions.**

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**Textual Amendments**

**F14** S. 14 omitted (31.12.2020) by virtue of [The Civil Jurisdiction and Judgments \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/479\)](#), regs. 1(1), **24** (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)

**15 Interpretation of Part I and consequential amendments.**

(1) In this Part, unless the context otherwise requires—  
“judgment” has the meaning given by <sup>F15</sup>... [<sup>F16</sup>Article 4(1) of the 2005 Hague Convention];  
<sup>F17</sup>...  
<sup>F18</sup>...  
“prescribed” means prescribed by rules of court.

(2) References in this Part to a judgment registered under [<sup>F19</sup>sections <sup>F20</sup>... [<sup>F21</sup>4B<sup>F22</sup> ...]] include, to the extent of its registration, references to a judgment so registered to a limited extent only.

<sup>F23</sup>(3) .....

<sup>X1</sup>(4) The enactments specified in Part I of Schedule 12 shall have effect with the amendments specified there, being amendments consequential on this Part.

**Editorial Information**

**X1** The text of ss. 15(4), 16(5), 23(2), 35(2)(3), 36(6), 37(2), 38, 40(3), 54, Schs. 10–12 and 14 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

**Textual Amendments**

- F15** Words in s. 15(1) omitted (31.12.2020) by virtue of [The Civil Jurisdiction and Judgments \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/479\)](#), regs. 1(1), **25(2)(a)** (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)
- F16** Words in s. 15(1) 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), **10(2)**
- F17** Words in s. 15(1) omitted (31.12.2020) by virtue of [The Civil Jurisdiction and Judgments \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/479\)](#), regs. 1(1), **25(2)(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)

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- F18** Words in s. 15(1) omitted (31.12.2020) by virtue of [The Civil Jurisdiction and Judgments \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/479\)](#), regs. 1(1), **25(2)(c)** (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)
- F19** Words in s. 15(2) substituted (1.1.2010) by [The Civil Jurisdiction and Judgments Regulations 2009 \(S.I. 2009/3131\)](#), **reg. 15(2)** (with reg. 48)
- F20** Words in s. 15(2) omitted (31.12.2020) by virtue of [The Civil Jurisdiction and Judgments \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/479\)](#), regs. 1(1), **25(3)(a)** (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)
- F21** Word in s. 15(2) 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), **10(3)**
- F22** Words in s. 15(2) omitted (31.12.2020) by virtue of [The Civil Jurisdiction and Judgments \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/479\)](#), regs. 1(1), **25(3)(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)
- F23** S. 15(3) repealed (N.I.) (31.10.2016) by [Justice Act \(Northern Ireland\) 2015 \(c. 9\)](#), s. 106(2), Sch. 1 para. 87(1), **Sch. 9 Pt. 1** (with Sch. 8 para. 1); [S.R. 2016/387](#), art. 2(k)(m) (with art. 3)

**Modifications etc. (not altering text)**

- C3** S. 15(2)(3) applied (1.4.1993) by [S.I. 1993/604](#), **art. 6**.

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