



Civil Jurisdiction and Judgments Act 1982

1982 CHAPTER 27

PART II

JURISDICTION, AND RECOGNITION AND ENFORCEMENT OF JUDGMENTS, WITHIN UNITED KINGDOM

[^{F1}Jurisdiction in consumer and employment matters

Textual Amendments

- F1** Ss. 15A-15E and cross-heading inserted (31.12.2020) by [The Civil Jurisdiction and Judgments \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/479\)](#), regs. 1(1), 26 (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)

15A Scope of sections 15B to 15E

- (1) Sections 15B to 15E make provision about the jurisdiction of courts in the United Kingdom—
 - (a) in matters relating to consumer contracts where the consumer is domiciled in the United Kingdom;
 - (b) in matters relating to individual contracts of employment.
- (2) Sections 15B and 15C apply only if the subject-matter of the proceedings and the nature of the proceedings are within the scope of the Regulation as determined by Article 1 of the Regulation (whether or not the Regulation would have had effect before [^{F2}IP completion day] in relation to the proceedings).
- (3) Sections 15B to 15E do not apply to proceedings of a description listed in Schedule 5 or to proceedings in Scotland under an enactment which confers jurisdiction on a Scottish court in respect of a specific subject-matter on specific grounds.

Status: Point in time view as at 08/08/2022.

Changes to legislation: Civil Jurisdiction and Judgments Act 1982, Part II is up to date with all changes known to be in force on or before 19 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Textual Amendments

- F2** Words in s. 15A(2) substituted in earlier amending provision S.I. 2019/479, reg. 26 (31.12.2020) by [The Civil, Criminal and Family Justice \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1493\)](#), regs. 1(1), [5\(2\)\(b\)\(i\)](#)

15B Jurisdiction in relation to consumer contracts

- (1) This section applies in relation to proceedings whose subject-matter is a matter relating to a consumer contract where the consumer is domiciled in the United Kingdom.
- (2) The consumer may bring proceedings against the other party to the consumer contract—
 - (a) where the other party to the consumer contract is domiciled in the United Kingdom, in the courts of the part of the United Kingdom in which the other party to the consumer contract is domiciled, or
 - (b) in the courts for the place where the consumer is domiciled (regardless of the domicile of the other party to the consumer contract).
- (3) Proceedings may be brought against the consumer by the other party to the consumer contract only in the courts of the part of the United Kingdom in which the consumer is domiciled.
- (4) Subsections (2) and (3) are subject to rule 11 of Schedule 4 (and rule 14 of Schedule 4 has effect accordingly).
- (5) Subsections (2) and (3) do not affect—
 - (a) the right (under rule 5(c) of Schedule 4 or otherwise) to bring a counterclaim in the court in which, in accordance with subsection (2) or (3), the original claim is pending,
 - (b) the operation of rule 3(e) or (h)(ii) of Schedule 4, or
 - (c) the operation of any other rule of law which permits a person not domiciled in the United Kingdom to be sued in the courts of a part of the United Kingdom.
- (6) Subsections (2) and (3) may be departed from only by an agreement—
 - (a) which is entered into after the dispute has arisen,
 - (b) which allows the consumer to bring proceedings in courts other than those indicated in this section, or
 - (c) which is entered into by the consumer and the other party to the contract, both of whom are at the time of conclusion of the contract domiciled or habitually resident in the United Kingdom and in the same part of the United Kingdom, and which confers jurisdiction on the courts of that part of the United Kingdom, provided that such an agreement is not contrary to the law of that part of the United Kingdom.
- (7) For the purposes of this section, where a consumer enters into a consumer contract with a party who is not domiciled in the United Kingdom, the other party to the contract is deemed to be domiciled in a particular part of the United Kingdom if that party has a branch, agency or establishment in that part of the United Kingdom and the dispute arose out of the operations of that branch, agency or establishment.

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15C Jurisdiction in relation to individual contracts of employment

- (1) This section applies in relation to proceedings whose subject-matter is a matter relating to an individual contract of employment.
- (2) The employer may be sued by the employee—
 - (a) where the employer is domiciled in the United Kingdom, in the courts for the part of the United Kingdom in which the employer is domiciled,
 - (b) in the courts for the place in the United Kingdom where or from where the employee habitually carries out the employee's work or last did so (regardless of the domicile of the employer), or
 - (c) if the employee does not or did not habitually carry out the employee's work in any one part of the United Kingdom [^{F3}or any one overseas country], in the courts for the place in the United Kingdom where the business which engaged the employee is [^{F4}or was] situated (regardless of the domicile of the employer).
- (3) If the employee is domiciled in the United Kingdom, the employer may only sue the employee in the part of the United Kingdom in which the employee is domiciled (regardless of the domicile of the employer).
- (4) Subsections (2) and (3) are subject to rule 11 of Schedule 4 (and rule 14 of Schedule 4 has effect accordingly).
- (5) Subsections (2) and (3) do not affect—
 - (a) the right (under rule 5(c) of Schedule 4 or otherwise) to bring a counterclaim in the court in which, in accordance with subsection (2) or (3), the original claim is pending,
 - (b) the operation of rule 3(e) of Schedule 4,
 - (c) the operation of rule 5(a) of Schedule 4 so far as it permits an employer to be sued by an employee, or
 - (d) the operation of any other rule of law which permits a person not domiciled in the United Kingdom to be sued in the courts of a part of the United Kingdom.
- (6) Subsections (2) and (3) may be departed from only by an agreement which—
 - (a) is entered into after the dispute has arisen, or
 - (b) allows the employee to bring proceedings in courts other than those indicated in this section.
- (7) For the purposes of this section, where an employee enters into an individual contract of employment with an employer who is not domiciled in the United Kingdom, the employer is deemed to be domiciled in the relevant part of the United Kingdom if the employer has a branch, agency or other establishment in that part of the United Kingdom and the dispute arose from the operation of that branch, agency or establishment.

Textual Amendments

- F3** Words in s. 15C(2)(c) inserted in earlier amending provision S.I. 2019/479, reg. 26 (31.12.2020) by [The Jurisdiction, Judgments and Applicable Law \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1574\)](#), regs. 1, **3(a)**

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F4 Words in s. 15C(2)(c) inserted in earlier amending provision S.I. 2019/479, reg. 26 (31.12.2020) by [The Jurisdiction, Judgments and Applicable Law \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1574\)](#), regs. 1, **3(b)**

15D Further provision as to jurisdiction

- (1) Agreements or provisions of a trust instrument conferring jurisdiction shall have no legal force if they are contrary to the provisions of section 15B(6) or 15C(6).
- (2) Even if it would not otherwise have jurisdiction under section 15B or 15C, a court of a part of the United Kingdom before which a defendant enters an appearance has jurisdiction in those proceedings.
- (3) Subsection (2) does not apply where —
 - (a) appearance was entered to contest the jurisdiction, or
 - (b) another court in the United Kingdom has exclusive jurisdiction by virtue of rule 11 of Schedule 4.
- (4) Subsection (2) does not apply if the defendant is the consumer or employee in relation to the subject-matter of the proceedings, unless the defendant is informed by the court of—
 - (a) the defendant's right to contest the jurisdiction, and
 - (b) the consequences of entering or not entering an appearance.
- (5) Subsection (6) applies where—
 - (a) a defendant domiciled in the United Kingdom is sued in a court of a part of the United Kingdom other than the part in which the defendant is domiciled and does not enter an appearance, and
 - (b) the subject-matter of the proceedings is a matter in relation to which section 15B or 15C applies.
- (6) The court must—
 - (a) declare of its own motion that it has no jurisdiction, unless it has jurisdiction by virtue of section 15B or 15C or a rule referred to in section 15B(4) or (5) or 15C(4) or (5);
 - (b) stay the proceedings so long as it is not shown that—
 - (i) the defendant has been able to receive the document instituting the proceedings or an equivalent document in sufficient time to enable the defendant to arrange for the defendant's defence, or
 - (ii) all necessary steps have been taken to this end.
- (7) Application may be made to the courts of a part of the United Kingdom for such provisional, including protective, measures as may be available under the law of that part, even if, by virtue of section 15B or 15C or this section, the courts of another part of the United Kingdom have jurisdiction as to the substance of the matter.

15E Interpretation

- (1) In sections 15A to 15D and this section—

“consumer”, in relation to a consumer contract, means a person who concludes the contract for a purpose which can be regarded as being outside the person's trade or profession;

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“consumer contract” means—

- (a) a contract for the sale of goods on instalment credit terms,
- (b) a contract for a loan repayable by instalments, or for any other form of credit, made to finance the sale of goods, or
- (c) a contract which has been concluded with a person who—
 - (i) pursues commercial or professional activities in the part of the United Kingdom in which the consumer is domiciled, or
 - (ii) by any means, directs such activities to that part or to other parts of the United Kingdom including that part,

and which falls within the scope of such activities,

but it does not include a contract of transport other than a contract which, for an inclusive price, provides for a combination of travel and accommodation or a contract of insurance,

“defendant” includes defender.

- (2) In determining any question as to the meaning or effect of any provision contained in sections 15A to 15D and this section—
 - (a) regard is to be had to any relevant principles laid down before [F5IP completion day] by the European Court in connection with Title II of the 1968 Convention or Chapter 2 of the Regulation and to any relevant decision of that court before [F6IP completion day] as to the meaning or effect of any provision of that Title or Chapter, and
 - (b) without prejudice to the generality of paragraph (a), the expert reports relating to the 1968 Convention may be considered and are, so far as relevant, to be given such weight as is appropriate in the circumstances.]

Textual Amendments

- F5** Words in s. 15E(2)(a) substituted in earlier amending provision S.I. 2019/479, reg. 26 (31.12.2020) by [The Civil, Criminal and Family Justice \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1493\)](#), regs. 1(1), **5(2)(b)(ii)**
- F6** Words in s. 15E(2)(a) substituted in earlier amending provision S.I. 2019/479, reg. 26 (31.12.2020) by [The Civil, Criminal and Family Justice \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1493\)](#), regs. 1(1), **5(2)(b)(ii)**

[F7] JURISDICTION IN OTHER CIVIL PROCEEDINGS

Textual Amendments

- F7** S. 16 cross-heading inserted (31.12.2020) by [The Civil Jurisdiction and Judgments \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/479\)](#), regs. 1(1), **27** (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)

16 Allocation within U.K. of jurisdiction in certain civil proceedings.

- (1) The provisions set out in Schedule 4 (which contains a modified version of [F8Chapter II of the Regulation]) shall have effect for determining, for each part of the United

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Kingdom, whether the courts of law of that part, or any particular court of law in that part, have or has jurisdiction in proceedings where—

- [^{F9}(a) the subject-matter of the proceedings is within the scope of the Regulation as determined by Article 1 of the Regulation (whether or not the Regulation [^{F10}would have had effect before [^{F11}IP completion day]] in relation to the proceedings); and]
- (b) the defendant or defender is domiciled in the United Kingdom or the proceedings are of a kind mentioned in [^{F12}[^{F13}Article 24] of the Regulation] (exclusive jurisdiction regardless of domicile).

[^{F14}(1A) This section and Schedule 4 do not apply for the purposes of determining jurisdiction in proceedings in relation to which section 15B, 15C or 15D(2) applies, except as specified in those sections.]

^{F15}(2)

(3) In determining any question as to the meaning or effect of any provision contained in Schedule 4—

- (a) regard shall be had to any relevant principles laid down by the European Court in connection with Title II of the 1968 Convention [^{F16}or Chapter II of the Regulation] and to any relevant decision of that court as to the meaning or effect of any provision of that Title [^{F17}or that Chapter]; and
- (b) without prejudice to the generality of paragraph (a), [^{F18}the expert reports relating to the 1968 Convention] may be considered and shall, so far as relevant, be given such weight as is appropriate in the circumstances.

[^{F19}(3A) The requirement in subsection (3)(a) applies only in relation to principles laid down, or decisions made, by the European Court before [^{F20}IP completion day].]

(4) The provisions of this section and Schedule 4 shall have effect subject to ^{F21} ... ^{F22} ... ^{F23} ... [^{F24}and the 2005 Hague Convention] and to the provisions of [^{F25}sections 15B, 15C, 15D and 17].

^{X1}(5) In section 15(1)(a) of the ^{M1}Maintenance Orders Act 1950 (domestic proceedings in which initial process may be served in another part of the United Kingdom), after subparagraph (v) there shall be added—

“(vi) Article 5(2) of Schedule 4 to the Civil Jurisdiction and Judgments Act 1982 ; or”.

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

- F8** Words in s. 16(1) substituted (1.3.2002) by [S.I. 2001/3929](#), arts. 1(b), 4, [Sch. 2 para. 3\(a\)\(i\)](#) (with transitional provisions in [art. 6](#))
- F9** S. 16(1)(a) substituted (1.3.2002) by [S.I. 2001/3929](#), arts. 1(b), 4, [Sch. 2 para. 3\(a\)\(ii\)](#) (with transitional provisions in [art. 6](#))
- F10** Words in s. 16(1)(a) substituted (31.12.2020) by [The Civil Jurisdiction and Judgments \(Amendment\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/479), regs. 1(1), **28(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)

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- F11** Words in s. 16(1)(a) substituted in earlier amending provision S.I. 2019/479, reg. 28(2) (31.12.2020) by The Civil, Criminal and Family Justice (Amendment) (EU Exit) Regulations 2020 (S.I. 2020/1493), regs. 1(1), **5(2)(c)(i)**
- F12** Words in s. 16(1)(b) substituted (1.3.2002) by S.I. 2001/3929, arts. 1(b), 4, **Sch. 2 para. 3(a)(iii)** (with transitional provisions in art. 6)
- F13** Words in s. 16(1)(b) substituted (10.1.2015) by The Civil Jurisdiction and Judgments (Amendment) Regulations 2014 (S.I. 2014/2947), reg. 1, **Sch. 1 para. 3** (with reg. 6)
- F14** S. 16(1A) inserted (31.12.2020) by The Civil Jurisdiction and Judgments (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/479), regs. 1(1), **28(3)** (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)
- F15** S. 16(2) omitted (1.3.2002) by virtue of S.I. 2001/3929, arts. 1(b), 4, **Sch. 2 para. 3(b)** (with transitional provisions in art. 6)
- F16** Words in s. 16(3)(a) substituted (1.3.2002) by S.I. 2001/3929, arts. 1(b), 4, **Sch. 2 para. 3(c)(i)** (with transitional provisions in art. 6)
- F17** Words in s. 16(3)(a) inserted (1.3.2002) by S.I. 2001/3929, arts. 1(b), 4, **Sch. 2 para. 3(c)(ii)** (with transitional provisions in art. 6)
- F18** Words in s. 16(3)(b) substituted (31.12.2020) by The Civil Jurisdiction and Judgments (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/479), regs. 1(1), **28(4)** (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** S. 16(3A) inserted (31.12.2020) by The Civil Jurisdiction and Judgments (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/479), regs. 1(1), **28(5)** (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)
- F20** Words in s. 16(3A) substituted in earlier amending provision S.I. 2019/479, reg. 28(5) (31.12.2020) by The Civil, Criminal and Family Justice (Amendment) (EU Exit) Regulations 2020 (S.I. 2020/1493), regs. 1(1), **5(2)(c)(ii)**
- F21** Words in s. 16(4) omitted (31.12.2020) by virtue of The Civil Jurisdiction and Judgments (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/479), regs. 1(1), **28(6)(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)
- F22** Words in s. 16(4) omitted (31.12.2020) by virtue of The Jurisdiction and Judgments (Family) (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/519), reg. 1(1), **Sch. para. 12(3)** (with reg. 8) (as amended by S.I. 2020/1574, regs. 1, 5(2)); 2020 c. 1, Sch. 5 para. 1(1)
- F23** Words in s. 16(4) omitted (31.12.2020) by virtue of The Civil Jurisdiction and Judgments (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/479), regs. 1(1), **28(6)(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)
- F24** Words in s. 16(4) 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), **11**
- F25** Words in s. 16(4) substituted (31.12.2020) by The Civil Jurisdiction and Judgments (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/479), regs. 1(1), **28(6)(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)

Marginal Citations**M1** 1950 c. 37.**17 Exclusion of certain proceedings from Schedule 4.**

- (1) Schedule 4 shall not apply to proceedings of any description listed in Schedule 5 or to proceedings in Scotland under any enactment which confers jurisdiction on a Scottish court in respect of a specific subject-matter on specific grounds.
- (2) Her Majesty may by Order in Council—
- (a) add to the list in Schedule 5 any description of proceedings in any part of the United Kingdom; and

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- (b) remove from that list any description of proceedings in any part of the United Kingdom (whether included in the list as originally enacted or added by virtue of this subsection).
- (3) An Order in Council under subsection (2)—
 - (a) may make different provisions for different descriptions of proceedings, for the same description of proceedings in different courts or for different parts of the United Kingdom; and
 - (b) may contain such transitional and other incidental provisions as appear to Her Majesty to be appropriate.
- (4) An Order in Council under subsection (2) shall not be made unless a draft of the Order has been laid before Parliament and approved by a resolution of each House of Parliament.

Modifications etc. (not altering text)

- C1** S. 17(1) excluded (1.10.2008) by [The Housing \(Scotland\) Act 2006 \(Consequential Provisions\) Order 2008 \(S.I. 2008/1889\)](#), [art. 4\(4\)](#)

[^{F26}RECOGNITION OF JUDGMENTS]

Textual Amendments

- F26** S. 18 cross-heading inserted (31.12.2020) by [The Civil Jurisdiction and Judgments \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/479\)](#), regs. 1(1), [29](#) (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)

18 Enforcement of U.K. judgments in other parts of U.K.

- (1) In relation to any judgment to which this section applies—
 - (a) Schedule 6 shall have effect for the purpose of enabling any money provisions contained in the judgment to be enforced in a part of the United Kingdom other than the part in which the judgment was given; and
 - (b) Schedule 7 shall have effect for the purpose of enabling any non-money provisions so contained to be so enforced.
- (2) In this section “judgment” means any of the following (references to the giving of a judgment being construed accordingly)—
 - (a) any judgment or order (by whatever name called) given or made by a court of law in the United Kingdom;
 - (b) any judgment or order not within paragraph (a) which has been entered in England and Wales or Northern Ireland in the High Court or [^{F27}the county court];
 - (c) any document which in Scotland has been registered for execution in the Books of Council and Session or in the sheriff court books kept for any sheriffdom;
 - (d) any award or order made by a tribunal in any part of the United Kingdom which is enforceable in that part without an order of a court of law;

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- (e) an arbitration award which has become enforceable in the part of the United Kingdom in which it was given in the same manner as a judgment given by a court of law in that part;
- ^{F28}(f) an order made, or a warrant issued, under Part 8 of the Proceeds of Crime Act 2002 for the purposes of a civil recovery investigation ^{F29}... within the ^{F30}[meaning] given by section 341 of that Act ^{F31}[or an unexplained wealth order made under that Part (see sections 362A and 396A of that Act)];
- ^{F32}(g) an order made, or a warrant issued, under Chapter 3 of Part 8 of the Proceeds of Crime Act 2002 for the purposes of a detained cash investigation ^{F33}, a detained property investigation or a frozen funds investigation] within the ^{F34}[meanings] given by section 341 of that Act;
- and, subject to the following provisions of this section, this section applies to all such judgments.
- (3) Subject to ^{F35}subsections (4) ^{F36}[^{F36}, (4ZA) and (4ZB)], this section does not apply to—
- (a) a judgment given in proceedings in a magistrates' court in England and Wales or Northern Ireland;
- (b) a judgment given in proceedings other than civil proceedings;
- ^{F37}(ba) a judgment given in the exercise of jurisdiction in relation to insolvency law, within the meaning of section ^{F38}[426 of the Insolvency Act 1986];
- (c) a judgment given in proceedings relating to—
- ^{F39}(i)
- (iii) the obtaining of title to administer the estate of a deceased person;
- ^{F40}(d) an order made under Part 2, 3 or 4 of the Proceeds of Crime Act 2002 (confiscation).]
- (4) This section applies, whatever the nature of the proceedings in which it is made, to—
- (a) a decree issued under section 13 of the ^{M2}Court of Exchequer (Scotland) Act 1856 (recovery of certain rent-charges and penalties by process of the Court of Session);
- (b) an order which is enforceable in the same manner as a judgment of the High Court in England and Wales by virtue of section 16 of the ^{M3}Contempt of Court Act 1981 or section 140 of the ^{M4}^{F41}Senior Courts Act 1981] (which relate to fines for contempt of court and forfeiture of recognisances).
- ^{F42}(4ZA) This section applies to a freezing order made under section 40D of the Immigration Act 2014 by a magistrates' court in England and Wales or a court of summary jurisdiction in Northern Ireland.]
- ^{F43}(4ZB) This section applies to the following orders made by a magistrates' court in England and Wales or Northern Ireland—
- (a) an account freezing order made under section 303Z3 of the Proceeds of Crime Act 2002;
- (b) an order for the forfeiture of money made under section 303Z14 of that Act;
- (c) an account freezing order made under paragraph 10S of Schedule 1 to the Anti-terrorism, Crime and Security Act 2001;
- (d) an order for the forfeiture of money made under paragraph 10Z2 of that Schedule.]
- ^{F44}(4A) This section does not apply as respects—

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- (a) the enforcement in Scotland of orders made by the High Court or [^{F45}the county court] in England and Wales under or for the purposes of Part VI of the Criminal Justice Act 1988 or the Drug Trafficking Act 1994 (confiscation of the proceeds of certain offences or of drug trafficking); or
 - (b) the enforcement in England and Wales of orders made by the Court of Session under or for the purposes of [^{F46}the Proceeds of Crime (Scotland) Act 1995]]
- (5) This section does not apply to so much of any judgment as—
- (a) is an order to which section 16 of the ^{M5}Maintenance Orders Act 1950 applies (and is therefore an order for whose enforcement in another part of the United Kingdom provision is made by Part II of that Act);
 - (b) concerns the status or legal capacity of an individual;
 - (c) relates to the management of the affairs of a person not capable of managing his own affairs;
 - (d) is a provisional (including protective) measure [^{F47}other than an order of any of the following kinds—
 - (i) a freezing order of the kind mentioned in paragraph (a) or (c) of subsection (4ZB) made (in Scotland) by the sheriff (in addition to such orders made by a magistrates' court in England and Wales or Northern Ireland);
 - (ii) an order for the making of an interim payment;
 - (iii) an interim order made in connection with the civil recovery of proceeds of unlawful conduct;
 - (iv) an interim freezing order under section 362J of the Proceeds of Crime Act 2002;
 - (v) an interim freezing order under section 396J of that Act.]
 and except where otherwise stated references to a judgment to which this section applies are to such a judgment exclusive of any such provisions.
- (6) The following are within subsection (5)(b), but without prejudice to the generality of that provision—
- (a) [^{F48}a judicial separation order or] a decree of judicial separation or of separation;
 - [^{F49}(b) any order which is a Part I order for the purposes of The Family Law Act 1986.]
- [^{F50}(6A) In subsection (5)(d), “an interim order made in connection with the civil recovery of proceeds of unlawful conduct” means any of the following made under Chapter 2 of Part 5 of the Proceeds of Crime Act 2002—
- (a) a property freezing order or prohibitory property order;
 - (b) an order under section 245E or 245F of that Act (order relating to receivers in connection with property freezing order);
 - (c) an interim receiving order or interim administration order.
 - [an order under section 255G or 255H of that Act (order relating to PPO
 - ^{F51}(d) receivers in connection with prohibitory property order).]]
- (7) This section does not apply to a judgment of a court outside the United Kingdom which falls to be treated for the purposes of its enforcement as a judgment of a court of law in the United Kingdom by virtue of registration under Part II of the ^{M6}Administration of Justice Act 1920, Part I of the ^{M7}Foreign Judgments (Reciprocal Enforcement) Act 1933, Part I of the ^{M8}Maintenance Orders (Reciprocal Enforcement) Act 1972 [^{F52},

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the International Recovery of Maintenance (Hague Convention 2007) Regulations 2012]^{F53} ... ^{F54}

- (8) A judgment to which this section applies, other than a judgment within paragraph (e) of subsection (2), shall not be enforced in another part of the United Kingdom except by way of registration under Schedule 6 or 7.

Textual Amendments

- F27** Words in s. 18(2)(b) substituted (22.4.2014) by [Crime and Courts Act 2013 \(c. 22\), s. 61\(3\), Sch. 9 para. 66](#); S.I. 2014/954, [art. 2\(c\)](#) (with [art. 3](#)) (with transitional provisions and savings in S.I. 2014/956, [arts. 3-11](#))
- F28** S. 18(2)(f) inserted (1.4.2003) by [The Proceeds of Crime Act 2002 \(Investigations in different parts of the United Kingdom\) Order 2003 \(S.I. 2003/425\), art. 34](#)
- F29** Words in s. 18(2)(f) repealed (1.6.2015) by [Policing and Crime Act 2009 \(c. 26\), s. 116\(1\), Sch. 7 para. 114\(a\)\(i\), Sch. 8 Pt. 5](#); S.I. 2015/983, [arts. 2\(2\)\(e\)\(g\), 3\(hh\)](#) (with [art. 6\(1\)](#))
- F30** Word in s. 18(2)(f) substituted (1.6.2015) by [Policing and Crime Act 2009 \(c. 26\), s. 116\(1\), Sch. 7 para. 114\(a\)\(ii\)](#); S.I. 2015/983, [arts. 2\(2\)\(e\), 3\(hh\)](#) (with [art. 6\(1\)](#))
- F31** Words in s. 18(2)(f) inserted (27.4.2017 for specified purposes, 31.1.2018 for E.W.S. for specified purposes, 16.4.2018 for E.W.S. in so far as not already in force, 28.6.2021 for N.I. in so far as not already in force) by [Criminal Finances Act 2017 \(c. 22\), s. 58\(5\)\(6\), Sch. 5 para. 3\(2\)](#); S.I. 2018/78, [reg. 5\(3\)\(a\)\(i\)\(ii\)](#); S.I. 2021/724, [reg. 4\(a\)](#)
- F32** S. 18(2)(g) inserted (1.6.2015) by [Policing and Crime Act 2009 \(c. 26\), s. 116\(1\), Sch. 7 para. 114\(b\)](#); S.I. 2015/983, [arts. 2\(2\)\(e\), 3\(hh\)](#)
- F33** Words in s. 18(2)(g) inserted (27.4.2017 for specified purposes, 31.1.2018 for E.W.S. for specified purposes, 16.4.2018 for E.W.S. in so far as not already in force, 28.6.2021 for N.I. in so far as not already in force) by [Criminal Finances Act 2017 \(c. 22\), s. 58\(5\)\(6\), Sch. 5 para. 3\(3\)\(a\)](#); S.I. 2018/78, [reg. 5\(3\)\(a\)\(i\)\(ii\)](#); S.I. 2021/724, [reg. 4\(a\)](#)
- F34** Word in s. 18(2)(g) substituted (27.4.2017 for specified purposes, 31.1.2018 for E.W.S. for specified purposes, 16.4.2018 for E.W.S. in so far as not already in force, 28.6.2021 for N.I. in so far as not already in force) by [Criminal Finances Act 2017 \(c. 22\), s. 58\(5\)\(6\), Sch. 5 para. 3\(3\)\(b\)](#); S.I. 2018/78, [reg. 5\(3\)\(a\)\(i\)\(ii\)](#); S.I. 2021/724, [reg. 4\(a\)](#)
- F35** Words in s. 18(3) substituted (1.11.2016 for specified purposes, 30.10.2017 in so far as not already in force) by [Immigration Act 2016 \(c. 19\), s. 94\(1\), Sch. 7 para. 7\(2\)](#); S.I. 2016/1037, [reg. 2\(d\)](#); S.I. 2017/929, [reg. 2\(b\)](#)
- F36** Words in s. 18(3) substituted (27.4.2017 for specified purposes, 31.1.2018 for E.W.S. for specified purposes, 16.4.2018 for E.W.S. in so far as not already in force, 28.6.2021 for N.I. in so far as not already in force) by [Criminal Finances Act 2017 \(c. 22\), s. 58\(5\)\(6\), Sch. 5 para. 3\(4\)](#); S.I. 2018/78, [reg. 5\(3\)\(a\)\(i\)\(ii\)](#); S.I. 2021/724, [reg. 4\(a\)](#)
- F37** S. 18(3)(ba) added by [Insolvency Act 1985 \(c. 65, SIF 66\), s. 235, Sch. 8 para. 36](#)
- F38** Words substituted by [Insolvency Act 1986 \(c. 45, SIF 66\), s. 439\(2\), Sch. 14](#)
- F39** S. 18(c)(i)(ii) repealed by [Insolvency Act 1985 \(c. 65, SIF 66\), s. 235, Sch. 10 Pt. IV](#)
- F40** S. 18(3)(d) inserted (24.3.2003) by [Proceeds of Crime Act 2002 \(c. 29\), ss. 456, 458\(1\), Sch. 11 para. 11](#); S.I. 2003/333, [art. 2, Sch.](#) (with [arts. 10-13](#) (as amended by S.I. 2003/531, [arts. 3, 4](#))); S.I. 2003/210, [art. 2, Sch.](#) (with [art. 7](#))
- F41** Words in s. 18(4)(b) substituted (1.10.2009) by [Constitutional Reform Act 2005 \(c. 4\), ss. 59, 148\(1\), Sch. 11 para. 1\(2\)](#); S.I. 2009/1604, [art. 2\(d\)](#)
- F42** S. 18(4ZA) inserted (1.11.2016 for specified purposes, 30.10.2017 in so far as not already in force) by [Immigration Act 2016 \(c. 19\), s. 94\(1\), Sch. 7 para. 7\(3\)](#); S.I. 2016/1037, [reg. 2\(d\)](#); S.I. 2017/929, [reg. 2\(b\)](#)
- F43** S. 18(4ZB) inserted (27.4.2017 for specified purposes, 31.1.2018 for E.W.S. for specified purposes, 16.4.2018 for E.W.S. in so far as not already in force, 28.6.2021 for N.I. in so far as not already in

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- force) by Criminal Finances Act 2017 (c. 22), s. 58(5)(6), **Sch. 5 para. 3(5)**; S.I. 2018/78, reg. 5(3)(a)(i)(ii); S.I. 2021/724, reg. 4(a)
- F44** S. 18(4A) substituted (3.2.1995) by 1994 c. 37, ss. 65, 69(2), **Sch. 1 para. 6**
- F45** Words in s. 18(4A)(a) substituted (22.4.2014) by Crime and Courts Act 2013 (c. 22), s. 61(3), **Sch. 9 para. 52**; S.I. 2014/954, **art. 2(c)** (with art. 3) (with transitional provisions and savings in S.I. 2014/956, **arts. 3-11**)
- F46** Words in s. 18(4A) substituted (1.4.1996) by 1995 c. 40, ss. 5, 7(2), **Sch. 4 para. 42**
- F47** Words in s. 18(5)(d) substituted (27.4.2017 for specified purposes, 31.1.2018 for E.W.S. for specified purposes, 16.4.2018 for E.W.S. in so far as not already in force, 28.6.2021 for N.I. in so far as not already in force) by Criminal Finances Act 2017 (c. 22), s. 58(5)(6), **Sch. 5 para. 3(6)**; S.I. 2018/78, reg. 5(3)(a)(i)(ii); S.I. 2021/724, reg. 4(a)
- F48** Words in s. 18(6)(a) inserted (6.4.2022) by Divorce, Dissolution and Separation Act 2020 (c. 11), s. 8(1)(8), **Sch. para. 47**; S.I. 2022/283, reg. 2
- F49** S. 18(6)(b) beginning "any order" substituted (14.10.1991) for s. 18(6)(b) beginning "any provision" by Courts and Legal Services Act 1990 (c. 41, SIF 76), ss. 116, 123(4), **Sch. 16 para. 41**; S.I. 1991/1883, **art. 3 Sch.**
- F50** S. 18(6A) inserted (E.W.S.) (1.6.2015) by Crime and Courts Act 2013 (c. 22), s. 61(2), **Sch. 18 para. 3**; S.I. 2015/964, **art. 2(b)**; and insertion extended to N.I. (20.3.2015) by S.I. 2015/798, **arts. 1(2), 7(a)**
- F51** S. 18(6A)(d) inserted (1.6.2015) by Serious Crime Act 2015 (c. 9), s. 88(1), **Sch. 4 para. 6(1)**; S.I. 2015/820, reg. 3(q)(ii)
- F52** Words in s. 18(7) inserted (coming into force in accordance with reg. 1(1) of the amending S.I.) by The International Recovery of Maintenance (Hague Convention 2007 etc.) Regulations 2012 (S.I. 2012/2814), reg. 1(1), **Sch. 4 para. 5(2)**
- F53** Words in s. 18(7) omitted (31.12.2020) by virtue of The Civil Jurisdiction and Judgments (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/479), regs. 1(1), **30** (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)
- F54** Words in s. 18(7) omitted (31.12.2020) by virtue of The Jurisdiction and Judgments (Family) (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/519), reg. 1(1), **Sch. para. 12(4)** (with reg. 8) (as amended by S.I. 2020/1574, regs. 1, 5(2)); 2020 c. 1, Sch. 5 para. 1(1)

Modifications etc. (not altering text)

- C2** S. 18: power to exclude conferred (1.12.1993) (by adding 1991 c. 24, **Sch. 4 para. 19(4)**), by 1993 c. 36, **s. 46** (with s. 78(6)); S.I. 1993/2734, art. 2, **Sch.**
 S. 18: power to restrict conferred (E.W.) (3.2.1995) by 1994 c. 37, **S. 38(4)**
 S. 18: power to exclude conferred (S.) (1.4.1996) by 1995 c. 43, **s. 39(4)**
 S. 18: power to exclude conferred (N.I.) (25.8.1996) by S.I. 1996/1299 (N.I. 9), **art. 3(3)**
- C3** S. 18 excluded (E.W.) (1.9.1995) by S.I. 1995/1967, **art. 2(2)**
 S. 18 excluded (E.W.) (1.9.1995) by S.I. 1995/1968, **art. 2(2)**
 S. 18 excluded (S.) (1.5.1998) by S.I. 1998/752, **art. 3(3)**
- C4** S. 18 excluded (S.) (coming into force in accordance with reg. 1(b) of the amending S.S.I.) by The International Recovery of Maintenance (Hague Convention 2007) (Scotland) Regulations 2012 (S.S.I. 2012/301), **reg. 8(4)**
- C5** S. 18 excluded (coming into force in accordance with reg. 1(1) of the amending S.I.) by The International Recovery of Maintenance (Hague Convention 2007 etc.) Regulations 2012 (S.I. 2012/2814), reg. 1(1), **Sch. 1 para. 6(6)**
- C6** S. 18 excluded (N.I.) (coming into force in accordance with reg. 1(1) of the amending Regulations) by The International Recovery of Maintenance (Hague Convention 2007 etc.) Regulations (Northern Ireland) 2012 (S.R. 2012/413), reg. 1(1), **Sch. 1 para. 6(6)**
- C7** S. 18 modified (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(4)**
- C8** S. 18(7) extended (1.4.1993) by S.I. 1993/604, **art. 7.**
 S. 18(7) extended (1.3.2002) by S.I. 2001/3928, **art. 3**

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C9 S. 18(7) extended (1.1.2010) by [The Civil Jurisdiction and Judgments Regulations 2009 \(S.I. 2009/3131\)](#), [reg. 47\(7\)](#) (with [reg. 48](#))

Marginal Citations

M2 1856 c. 56.
M3 1981 c. 49.
M4 1981 c. 54.
M5 1950 c. 37.
M6 1920 c. 81.
M7 1933 c. 13.
M8 1972 c. 18.

19 Recognition of U.K. judgments in other parts of U.K.

- (1) A judgment to which this section applies given in one part of the United Kingdom shall not be refused recognition in another part of the United Kingdom solely on the ground that, in relation to that judgment, the court which gave it was not a court of competent jurisdiction according to the rules of private international law in force in that other part.
- (2) Subject to subsection (3), this section applies to any judgment to which section 18 applies.
- (3) This section does not apply to—
 - (a) the documents mentioned in paragraph (c) of the definition of “judgment” in section 18(2);
 - (b) the awards and orders mentioned in paragraphs (d) and (e) of that definition;
 - (c) the decrees and orders referred to in section 18(4).

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