



Civil Jurisdiction and Judgments Act 1982

1982 CHAPTER 27

PART V

SUPPLEMENTARY AND GENERAL PROVISIONS

General

50 Interpretation: general.

In this Act, unless the context otherwise requires—

[^{F1}“the Accession Convention”, [^{F2}“the 1982 Accession Convention”, “the 1989 Accession Convention” and “the 1996 Accession Convention”] have the meaning given by section 1(1);]

“Article” and references to sub-divisions of numbered Articles are to be construed in accordance with section 1(2)(b);

“association” means an unincorporated body of persons;

[^{F3}“Brussels Contracting State” has the meaning given by section 1(3);]

[^{F3}“the Brussels Conventions” has the meaning given by section 1(1);]

“Contracting State” has the meaning given by section 1(3);

“the 1968 Convention” has the meaning given by section 1(1), and references to that Convention and to provisions of it are to be construed in accordance with section 1(2)(a);

^{F4}

“corporation” means a body corporate, and includes a partnership subsisting under the law of Scotland;

“court”, without more, includes a tribunal;

“court of law”, in relation to the United Kingdom, means any of the following courts, namely—

(a) [^{F5}the Supreme Court,]

(b) in England and Wales or Northern Ireland, the Court of Appeal, the High Court, the Crown Court, a county court and a magistrates’ court,

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- (c) in Scotland, the Court of Session and a sheriff court;
- “enactment” includes an enactment comprised in Northern Ireland legislation;
- [^{F6}“the 2007 Hague Convention” has the meaning given by section 1(1);
- “2007 Hague Convention State” has the meaning given by section 1(3);]
- “the Crown” is to be construed in accordance with section 51(2);
- “judgment”, subject to sections 15(1) and 18(2) and to paragraph 1 of Schedules 6 and 7, means any judgment or order (by whatever name called) given or made by a court in any civil proceedings;
- ^{F7}.....
- “the Lugano Convention” has the meaning given by section 1(1);
- “magistrates’ court”, in relation to Northern Ireland, means a court of summary jurisdiction;
- [^{F8}“the Maintenance Regulation” has the meaning given by section 1(1);
- “Maintenance Regulation State” has the meaning given by section 1(3);]
- “modifications” includes additions, omissions and alterations;
- “overseas country” means any country or territory outside the United Kingdom;
- “part of the United Kingdom” means England and Wales, Scotland or Northern Ireland;
- “the 1971 Protocol” has the meaning given by section 1(1), and references to that Protocol and to provisions of it are to be construed in accordance with section 1(2)(a);
- [^{F9}“the Regulation” has the meaning given by section 1(1);]
- [^{F10}“Regulation State” has the meaning given by section 1(3);]
- “rules of court”, in relation to any court, means rules, orders or regulations made by the authority having power to make rules, orders or regulations regulating the procedure of that court, and includes—
- (a) in Scotland, Acts of Sederunt;
- (b) in Northern Ireland, Judgment Enforcement Rules;
- [^{F11}“State bound by the Lugano Convention” has the meaning given by section 1(3);]
- “statutory provision” means any provision contained in an Act, or in any Northern Ireland legislation, or in—
- (a) subordinate legislation (as defined in section 21(1) of the ^{M1}Interpretation Act 1978); or
- (b) any instrument of a legislative character made under any Northern Ireland legislation;
- “tribunal”—
- (a) means a tribunal of any description other than a court of law;
- (b) in relation to an overseas country, includes, as regards matters relating to maintenance within the meaning of the 1968 Convention, any authority having power to give, enforce, vary or revoke a maintenance order.

Textual Amendments

F1 Definition in s. 50 substituted (1.10.1991) by S.I. 1990/2591, art. 9

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- F2** Words in s. 50 substituted (1.1.2001) by [The Civil Jurisdiction and Judgments Act 1982 \(Amendment\) Order 2000 \(S.I. 2000/1824\)](#), [arts. 1, 7](#)
- F3** Entries in s. 50 inserted (1.5.1992) by [Civil Jurisdiction and Judgments Act 1991 \(c. 12\)](#), s. 3, [Sch. 2 para. 25](#); [S.I. 1992/745](#), [art. 2](#)
- F4** Entry in s. 50 repealed (1.5.1992) by [Civil Jurisdiction and Judgments Act 1991 \(c. 12\)](#), s. 3, [Sch. 2 para. 25](#); [S.I. 1992/745](#), [art. 2](#)
- F5** S. 50: paragraph (a) in the definition of "court of law" substituted (1.10.2009) by [Constitutional Reform Act 2005 \(c. 4\)](#), ss. 145, 148(1), [Sch. 17 para. 23](#); [S.I. 2009/1604](#), [art. 2\(e\)](#)
- F6** Words in s. 50 inserted (31.7.2012) by [The International Recovery of Maintenance \(Hague Convention 2007\) \(Rules of Court\) Regulations 2012 \(S.I. 2012/1770\)](#), regs. 1(1), [6](#)
- F7** S. 50: definition of "Lugano Contracting State" omitted (1.1.2010) by virtue of [The Civil Jurisdiction and Judgments Regulations 2009 \(S.I. 2009/3131\)](#), [reg. 24\(a\)](#) (with reg. 48)
- F8** S. 50: definitions of "the Maintenance Regulation" and "Maintenance Regulation State" inserted (27.5.2011) by [The Civil Jurisdiction and Judgments \(Maintenance\) \(Rules of Court\) Regulations 2011 \(S.I. 2011/1215\)](#), [reg. 6](#)
- F9** S. 50: definition of "the Regulation" inserted (1.3.2002) by [S.I. 2001/3929](#), arts. 1(b), 4, [Sch. 2 para. 18](#)
- F10** S. 50: definition of "Regulation State" inserted (1.3.2002) by [S.I. 2001/3929](#), arts. 1(b), 4, [Sch. 2 para. 18](#)
- F11** S. 50: definition of "State bound by the Lugano Convention" inserted (1.1.2010) by [The Civil Jurisdiction and Judgments Regulations 2009 \(S.I. 2009/3131\)](#), [reg. 24\(b\)](#) (with reg. 48)

Marginal Citations

- M1** 1978 c. 30.

51 Application to Crown.

- (1) This Act binds the Court.
- (2) In this section and elsewhere in this Act references to the Crown do not include references to Her Majesty in Her private capacity or to Her Majesty in right of Her Duchy of Lancaster or to the Duke of Cornwall.

52 Extent.

- (1) This Act extends to Northern Ireland.
- (2) Without prejudice to the power conferred by section 39, Her Majesty may by Order in Council direct that all or any of the provisions of this Act apart from that section shall extend, subject to such modifications as may be specified in the Order, to any of the following territories, that is to say—
 - (a) the Isle of Man;
 - (b) any of the Channel Islands;
 - ^{F12}(c) any colony.]

Textual Amendments

- F12** S. 52(2)(c) substituted (1.10.1991) for s. 52(2)(c)(d) by [S.I. 1990/2591](#), [art. 10](#)

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53 Commencement, transitional provisions and savings.

- (1) This Act shall come into force in accordance with the provisions of Part I of Schedule 13.
- (2) The transitional provisions and savings contained in Part II of that Schedule shall have effect in relation to the commencement of the provisions of this Act mentioned in that Part.

Subordinate Legislation Made

P1 Power of appointment conferred by s. 53(1) fully exercised: [S.I. 1984/1553](#), 1986/1781, 1986/2044

^{X1}**54 Repeals.**

The enactments mentioned in Schedule 14 are hereby repealed to the extent specified in the third column of that Schedule.

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.

55 Short title.

This Act may be cited as the Civil Jurisdiction and Judgments Act 1982.

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