



# Civil Jurisdiction and Judgments Act 1982

## 1982 CHAPTER 27

### PART II

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

#### 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 [<sup>F1</sup>in the High Court or the county court or in] Northern Ireland in the High Court or a 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;
  - (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;
  - [<sup>F2</sup>(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 [<sup>F3</sup>or a detained cash investigation] within the [<sup>F4</sup>meanings] given by section 341 of that Act;]

*Status: Point in time view as at 22/04/2014. This version of this provision has been superseded.*

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and, subject to the following provisions of this section, this section applies to all such judgments.

- (3) Subject to subsection (4), 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;
  - [<sup>F5</sup>(ba) a judgment given in the exercise of jurisdiction in relation to insolvency law, within the meaning of section [<sup>F6</sup>426 of the Insolvency Act 1986];]
  - (c) a judgment given in proceedings relating to—
    - [<sup>F7</sup>(i) . . . . .
    - (iii) the obtaining of title to administer the estate of a deceased person;
  - [<sup>F8</sup>(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 <sup>M1</sup>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 <sup>M2</sup>Contempt of Court Act 1981 or section 140 of the <sup>M3</sup>[<sup>F9</sup>Senior Courts Act 1981] (which relate to fines for contempt of court and forfeiture of recognisances).
- [<sup>F10</sup>(4A) This section does not apply as respects—
- (a) the enforcement in Scotland of orders made by the High Court or [<sup>F11</sup>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 [<sup>F12</sup>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 <sup>M4</sup>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 other than an order for the making of an interim payment;
- 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) a decree of judicial separation or of separation;
  - [<sup>F13</sup>(b) any order which is a Part I order for the purposes of The Family Law Act 1986.]

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- (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 <sup>M5</sup>Administration of Justice Act 1920, Part I of the <sup>M6</sup>Foreign Judgments (Reciprocal Enforcement) Act 1933, Part I of the <sup>M7</sup>Maintenance Orders (Reciprocal Enforcement) Act 1972 [<sup>F14</sup>, the International Recovery of Maintenance (Hague Convention 2007) Regulations 2012] or section 4 or 5 of this Act [<sup>F15</sup> or by virtue of the Civil Jurisdiction and Judgments (Maintenance) Regulations 2011.]
- (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

- F1** 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](#))
- F2** 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](#)
- F3** Words in s. 18(2)(f) inserted (6.4.2008) by [Serious Crime Act 2007 \(c. 27\), ss. 77, 94, Sch. 10 para. 26\(a\)](#); S.I. 2008/755, [art. 17\(1\)\(c\)\(d\)\(iv\)](#)
- F4** Word in s. 18(2)(f) substituted (6.4.2008) by [Serious Crime Act 2007 \(c. 27\), ss. 77, 94, Sch. 10 para. 26\(b\)](#); S.I. 2008/755, [art. 17\(1\)\(c\)\(d\)\(iv\)](#)
- F5** S. 18(3)(ba) added by [Insolvency Act 1985 \(c. 65, SIF 66\), s. 235, Sch. 8 para. 36](#)
- F6** Words substituted by [Insolvency Act 1986 \(c. 45, SIF 66\), s. 439\(2\), Sch. 14](#)
- F7** S. 18(c)(i)(ii) repealed by [Insolvency Act 1985 \(c. 65, SIF 66\), s. 235, Sch. 10 Pt. IV](#)
- F8** 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)
- F9** 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\(d\)](#)
- F10** S. 18(4A) substituted (3.2.1995) by [1994 c. 37, ss. 65, 69\(2\), Sch. 1 para. 6](#)
- F11** 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](#))
- F12** Words in s. 18(4A) substituted (1.4.1996) by [1995 c. 40, ss. 5, 7\(2\), Sch. 4 para. 42](#)
- F13** 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.](#)
- F14** 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\(2\)](#)
- F15** Words in s. 18(7) inserted (18.6.2011) by [The Civil Jurisdiction and Judgments \(Maintenance\) Regulations 2011 \(S.I. 2011/1484\), reg. 6, Sch. 4 para. 3](#)

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

- C1** 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\(3\)](#)

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- C2** 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)**
- C3** 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)**
- C4** 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**
- C5** 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**)

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#### **Marginal Citations**

- M1** 1856 c. 56.
- M2** 1981 c. 49.
- M3** 1981 c. 54.
- M4** 1950 c. 37.
- M5** 1920 c. 81.
- M6** 1933 c. 13.
- M7** 1972 c. 18.

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