



Civil Jurisdiction and Judgments Act 1982

1982 CHAPTER 27

PART IV

MISCELLANEOUS PROVISIONS

Provisions relating to jurisdiction

24 Interim relief and protective measures in cases of doubtful jurisdiction.

- (1) Any power of a court in England and Wales or Northern Ireland to grant interim relief pending trial or pending the determination of an appeal shall extend to a case where—
- the issue to be tried, or which is the subject of the appeal, relates to the jurisdiction of the court to entertain the proceedings; or
 - the proceedings involve the reference of any matter to the European Court under the 1971 Protocol ^[F1]; or
 - the proceedings involve a reference of any matter relating to the Regulation ^[F2] or the Lugano Convention to the European Court under Article 68 of the Treaty establishing the European Community ^[F3]; or
 - the proceedings involve a reference of any matter relating to the Maintenance Regulation to the European Court under Article 267 of the Treaty on the Functioning of the European Union ^{M1}.
- (2) Any power of a court in Scotland to grant protective measures pending the decision of any hearing shall apply to a case where—
- the subject of the proceedings includes a question as to the jurisdiction of the court to entertain them; or
 - the proceedings involve the reference of a matter to the European Court under the 1971 Protocol ^[F4]; or
 - the proceedings involve a reference of any matter relating to the Regulation ^[F5] or the Lugano Convention to the European Court under Article 68 of the Treaty establishing the European Community ^[F6]; or

Status: Point in time view as at 18/06/2011. This version of this provision has been superseded.

Changes to legislation: Civil Jurisdiction and Judgments Act 1982, Section 24 is up to date with all changes known to be in force on or before 09 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)

- (d) the proceedings involve a reference of any matter relating to the Maintenance Regulation to the European Court under Article 267 of the Treaty on the Functioning of the European Union.]
- (3) Subsections (1) and (2) shall not be construed as restricting any power to grant interim relief or protective measures which a court may have apart from this section.

Textual Amendments

- F1** S. 24(1)(c) and the preceding word “or” inserted (1.3.2002) by S.I. 2001/3929, arts. 1(b), 4, **Sch. 2 para. 9(a)**
- F2** Words in s. 24(1)(c) inserted (1.1.2010) by The Civil Jurisdiction and Judgments Regulations 2009 (S.I. 2009/3131), **reg. 16** (with **reg. 48**)
- F3** S. 24(1)(d) and preceding word inserted (18.6.2011) by The Civil Jurisdiction and Judgments (Maintenance) Regulations 2011 (S.I. 2011/1484), **Sch. 4 para. 5(2)**
- F4** S. 24(2)(c) and the preceding word “or” inserted (1.3.2002) by S.I. 2001/3929, arts. 1(b), 4, **Sch. 2 para. 9(b)**
- F5** Words in s. 24(2)(c) inserted (1.1.2010) by The Civil Jurisdiction and Judgments Regulations 2009 (S.I. 2009/3131), **reg. 16** (with **reg. 48**)
- F6** S. 24(2)(d) and preceding word inserted (18.6.2011) by The Civil Jurisdiction and Judgments (Maintenance) Regulations 2011 (S.I. 2011/1484), **Sch. 4 para. 5(3)**

Marginal Citations

- M1** O.J. No. C 83, 30.3.2010, p.1.

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