



Civil Jurisdiction and Judgments Act 1982

1982 CHAPTER 27

PART IV

MISCELLANEOUS PROVISIONS

Provisions relating to jurisdiction

28 Application of s. 1 of Administration of Justice (Scotland) Act 1972.

^{F1}[(1)] When any proceedings have been brought, or are likely to be brought, ^{F2}... [^{F3}in a 2005 Hague Convention State] or in England and Wales or Northern Ireland in respect of any matter which is within the scope of the [^{F4}Regulation] as determined in Article 1, the Court of Session shall have the like power to make an order under section 1 of the ^{M1}Administration of Justice (Scotland) Act 1972 [^{F5}as amended by the Law Reform (Miscellaneous Provisions) (Scotland) Act 1985] as if the proceedings in question had been brought, or were likely to be brought, in that court.

^{F6}(2)

Textual Amendments

- F1** S. 28 re-numbered as s. 28(1) (18.6.2011) by virtue of [The Civil Jurisdiction and Judgments \(Maintenance\) Regulations 2011 \(S.I. 2011/1484\)](#), **Sch. 4 para. 8(2)**
- F2** Words in s. 28(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), **35** (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. 28(1) inserted (S.) (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), **15**
- F4** Word in s. 28 substituted (1.3.2002) by [S.I. 2001/3929](#), arts. 1(b), 4, **Sch. 2 para. 12(b)**
- F5** Words inserted (S.) by [Law Reform \(Miscellaneous Provisions\) \(Scotland\) Act 1985 \(c. 73, SIF 39:1\)](#), s. 59, **Sch. 2 para. 24**
- F6** S. 28(2) 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(9)** (with reg. 8) (as amended by [S.I. 2020/1574](#), regs. 1, 5(2)); 2020 c. 1, Sch. 5 para. 1(1)

Status: Point in time view as at 31/12/2020.

Changes to legislation: *Civil Jurisdiction and Judgments Act 1982, Section 28 is up to date with all changes known to be in force on or before 16 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)*

Marginal Citations

M1 1972 c. 59.

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