



# Civil Jurisdiction and Judgments Act 1982

## 1982 CHAPTER 27

### PART IV

#### MISCELLANEOUS PROVISIONS

##### *Provisions relating to recognition and enforcement of judgments*

### **33 Certain steps not to amount to submission to jurisdiction of overseas court.**

- (1) For the purposes of determining whether a judgment given by a court of an overseas country should be recognised or enforced in England and Wales or Northern Ireland, the person against whom the judgment was given shall not be regarded as having submitted to the jurisdiction of the court by reason only of the fact that he appeared (conditionally or otherwise) in the proceedings for all or any one or more of the following purposes, namely—
- (a) to contest the jurisdiction of the court;
  - (b) to ask the court to dismiss or stay the proceedings on the ground that the dispute in question should be submitted to arbitration or to the determination of the courts of another country;
  - (c) to protect, or obtain the release of, property seized or threatened with seizure in the proceedings.
- (2) Nothing in this section shall affect the recognition or enforcement in England and Wales or Northern Ireland of a judgment which is required to be recognised or enforced there under the 1968 Convention <sup>[F1]</sup>or the Lugano Convention<sup>[F2]</sup> or the Regulation<sup>[F3]</sup> or the Maintenance Regulation<sup>[F4]</sup> or the 2007 Hague Convention<sup>[F5]</sup> or the 2005 Hague Convention].

#### **Textual Amendments**

- F1** Words in s. 33(2) inserted (1.5.1992) by [Civil Jurisdiction and Judgments Act 1991 \(c. 12, SIF 45:3\)](#), s. 3, [Sch. 2 para. 15](#) (with s. 4); [S.I. 1992/745](#), [art. 2](#)
- F2** Words in s. 33(2) added (1.3.2002) by [S.I. 2001/3929](#), [arts. 1\(b\), 4](#), [Sch. 2 para. 15](#)

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*Status: Point in time view as at 01/10/2015. This version of this provision has been superseded.*

**Changes to legislation:** Civil Jurisdiction and Judgments Act 1982, Section 33 is up to date with all changes known to be in force on or before 26 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)

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| <p><b>F3</b> Words in s. 33(2) inserted (18.6.2011) by <a href="#">The Civil Jurisdiction and Judgments (Maintenance) Regulations 2011 (S.I. 2011/1484)</a>, <b>Sch. 4 para. 10</b></p> <p><b>F4</b> Words in s. 33(2) inserted (coming into force in accordance with reg. 1(1) of the amending S.I.) by <a href="#">The International Recovery of Maintenance (Hague Convention 2007 etc.) Regulations 2012 (S.I. 2012/2814)</a>, reg. 1(1), <b>Sch. 4 para. 5(4)</b></p> <p><b>F5</b> Words in s. 33(2) inserted (1.10.2015) by <a href="#">The Civil Jurisdiction and Judgments (Hague Convention on Choice of Court Agreements 2005) Regulations 2015 (S.I. 2015/1644)</a>, regs. 1(1), <b>17</b></p> |
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