



# Foreign Judgments (Reciprocal Enforcement) Act 1933

## 1933 CHAPTER 13

### PART I

#### *Registration of Foreign Judgments*

#### **2 Application for, and effect of, registration of foreign judgment**

- (1) A person, being a judgment creditor Under a judgment to which this Part of this Act applies, may apply to the High Court at any time within six years after the date of the judgment, or, where there have been proceedings by way of appeal against the judgment, after the date of the last judgment given in those proceedings, to have the judgment registered in the High Court, and on any such application the court shall, subject to proof of the prescribed matters and to the other provisions of this Act, order the judgment to be registered :

Provided that a judgment shall not be registered if at the date of the application—

- (a) it has been wholly satisfied ; or
  - (b) it could not be enforced by execution in the country of the original court.
- (2) Subject to the provisions of this Act with respect to the setting aside of registration—
- (a) a registered judgment shall, for the purposes of execution, be of the same force and effect; and
  - (b) proceedings may be taken on a registered judgment ; and
  - (c) the sum for which a judgment is registered shall carry interest; and
  - (d) the registering court shall have the same control over the execution of a registered judgment;

as if the judgment had been a judgment originally given in the registering court and entered on the date of registration:

Provided that execution shall not issue on the judgment so long as, under this Part of this Act and the Rules of Court made thereunder, it is competent for any party to make

an application to have the registration of the judgment set aside, or, where such an application is made, until after the application has been finally determined.

- (3) Where the sum payable under a judgment which is to be registered is expressed in a currency other than the currency of the United Kingdom, the judgment shall be registered as if it were a judgment for such sum in the currency of the United Kingdom as, on the basis of the rate of exchange prevailing at the date of the judgment of the original court, is equivalent to the sum so payable.
- (4) If at the date of the application for registration the judgment of the original court has been partly satisfied, the judgment shall not be registered in respect of the whole sum payable under the judgment of the original court, but only in respect of the balance remaining payable at that date.
- (5) If, on an application for the registration of a judgment, it appears to the registering court that the judgment is in respect of different matters and that some, but not all, of the provisions of the judgment are such that if those provisions had been contained in separate judgments those judgments could properly have been registered, the judgment may be registered in respect of the provisions aforesaid but not in respect of any other provisions contained therein.
- (6) In addition to the sum of money payable under the judgment of the original court, including any interest which by the law of the country of the original court becomes due under the judgment up to the time of registration, the judgment shall be registered for the reasonable costs of and incidental to registration, including the costs of obtaining a certified copy of the judgment from the original court.