



Foreign Judgments (Reciprocal Enforcement) Act 1933

1933 CHAPTER 13 23 and 24 Geo 5

PART I

REGISTRATION OF FOREIGN JUDGMENTS

5 Powers of registering court on application to set aside registration.

- (1) If, on an application to set aside the registration of a judgment, the applicant satisfies the registering court either that an appeal is pending, or that he is entitled and intends to appeal, against the judgment, the court, if it thinks fit, may, on such terms as it may think just, either set aside the registration or adjourn the application to set aside the registration until after the expiration of such period as appears to the court to be reasonably sufficient to enable the applicant to take the necessary steps to have the appeal disposed of by the competent tribunal.
- (2) Where the registration of a judgment is set aside under the last foregoing subsection, or solely for the reason that the judgment was not at the date of the application for registration enforceable by execution in the country of the original court, the setting aside of the registration shall not prejudice a further application to register the judgment when the appeal has been disposed of or if and when the judgment becomes enforceable by execution in that country, as the case may be.
- (3) Where the registration of a judgment is set aside solely for the reason that the judgment, notwithstanding that it had at the date of the application for registration been partly satisfied, was registered for the whole sum payable thereunder, the registering court shall, on the application of the judgment creditor, order judgment to be registered for the balance remaining payable at that date.

Modifications etc. (not altering text)

C1 S. 5 extended by [Isle of Man Act 1979 \(c. 58, SIF 29:4\)](#), s. 4

Status:

Point in time view as at 01/04/2005.

Changes to legislation:

There are currently no known outstanding effects for the Foreign Judgments (Reciprocal Enforcement) Act 1933, Section 5.