
STATUTORY INSTRUMENTS

1987 No. 468

**The Reciprocal Enforcement of Foreign
Judgments (Canada) Order 1987**

1. This Order shall come into force on 18th March 1987 and may be cited as the Reciprocal Enforcement of Foreign Judgments (Canada) Order 1987.
2. Part 1 of the Foreign Judgments (Reciprocal Enforcement) Act 1933 shall extend to Canada.
3. The following courts of Canada shall be recognized courts of Canada for the purposes of Part I of the Foreign Judgments (Reciprocal Enforcement) Act 1933, that is to say the Federal Court of Canada and any court of the Province of British Columbia, Manitoba, New Brunswick, Nova Scotia or Ontario.
4. The following judgments shall be judgments to which Part I of the Foreign Judgments (Reciprocal Enforcement) Act 1933 applies, that is to say any decision, however described (judgment, order and the like), given by a recognized court of Canada in a civil or commercial matter and including an award in proceedings on an arbitration which has become enforceable in the same manner as a judgment given by one of the said courts.
5. A judgment given in one of the said courts of Canada shall, in the absence of proof to the contrary, be deemed to be capable of execution in Canada if a certified copy of the judgment and, if appropriate, a translation thereof into English, certified by a sworn translator, is produced.
6. The rate of interest due under the law of Canada upon the sum in respect of which a judgment of one of the said courts of Canada is given shall be deemed to be that specified in the judgment or any certificate of the original court accompanying the judgment and, if no rate is so specified, no interest shall be deemed to be due thereon under the law of Canada unless the contrary is shown.
7. It is hereby declared that—
 - (a) the provisions contained in articles 5 and 6 of this Order are necessary for giving effect to the Convention scheduled hereto in relation to matters with respect to which there is power to make rules of court for the purposes of Part I of the Foreign Judgments (Reciprocal Enforcement) Act 1933; and
 - (b) Article IX of the Convention scheduled hereto is a provision of a Convention whereby the United Kingdom assumes an obligation of the kind provided for in Article 59 of the Convention on jurisdiction and the enforcement of judgments in civil and commercial matters, signed at Brussels on 27th September 1968⁽¹⁾.
8. The Reciprocal Enforcement of Foreign Judgments (Canada) Order 1986⁽²⁾ is hereby revoked.

G.I. de Deney
Clerk of the Privy Council

(1) The Convention is set out in Schedule 1 to the Civil Jurisdiction and Judgments Act 1982.
(2) S.I.1986/2027.