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STATUTORY INSTRUMENTS

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**2000 No. 1824**

**The Civil Jurisdiction and Judgments  
Act 1982 (Amendment) Order 2000**

1. This Order may be cited as the Civil Jurisdiction and Judgments Act 1982 (Amendment) Order 2000 and shall come into force—

- (a) as to Part II of this Order, on the date on which the accession of the Republic of Poland to the Lugano Convention takes effect in respect of the United Kingdom; and
- (b) as to the remainder of this Order, on the date on which the Convention on the accession of the Republic of Austria, the Republic of Finland and the Kingdom of Sweden to the 1968 Convention and to the Protocol enters into force in respect of the United Kingdom,

both of which dates shall be notified in the London, Edinburgh and Belfast Gazettes.

2. In this Order, “the Act” means the Civil Jurisdiction and Judgments Act 1982 and the reference to a section or Schedule by number alone means the section or Schedule so numbered in that Act.

**PART I**

**AMENDMENTS TO THE ACT RESULTING FROM  
THE REVISION OF THE BRUSSELS CONVENTION**

3. In section 1(1)—

- (a) after the definition of the 1989 Accession Convention insert—

““the 1996 Accession Convention” means the Convention on the accession of the Republic of Austria, the Republic of Finland and the Kingdom of Sweden to the 1968 Convention and the 1971 Protocol, with the adjustments made to them by the Accession Convention, the 1982 Accession Convention and the 1989 Accession Convention, signed at Brussels on 29th November 1996.”;

- (b) in the definition of the Brussels Conventions for “and the 1989 Accession Convention”, substitute, “, the 1989 Accession Convention and the 1996 Accession Convention”.

4. In section 1(2)(a) for “and the 1989 Accession Convention” substitute “, the 1989 Accession Convention and the 1996 Accession Convention”.

5. In section 1(3)—

- (a) after “(Spain and Portugal),” insert “or under the 1996 Accession Convention (Austria, Finland and Sweden)”;
- (b) before “as the case might be” insert “or being a state in respect of which the 1996 Accession Convention has entered into force in accordance with Article 16 of that Convention,”.

6. In section 2(2)—

- (a) for “and 3B” substitute “, 3B and 3C”;
- (b) in subsections (a) and (b), after the words “the 1982 Accession Convention”, wherever they appear, delete “and”;

- (c) at the end of subsection (a) insert—“and by Titles II and III of the 1996 Accession Convention”;
- (d) at the end of subsection (b) insert—“and by Title IV of the 1996 Accession Convention”;
- (e) after subsection (e) insert—
  - “(f) Titles V and VI of the 1996 Accession Convention (transitional and final provisions),”; and
- (f) for “and in Article 34 of the 1989 Accession Convention” insert “, in Article 34 of the 1989 Accession Convention and in Article 18 of the 1996 Accession Convention”.

7. In section 50, for “the 1982 Accession Convention” and “the 1989 Accession Convention” substitute, “the 1982 Accession Convention”, “the 1989 Accession Convention” and “the 1996 Accession Convention”.

- 8.—(1) For Schedule 1, substitute Schedule 1 to this Order;
- (2) For Schedule 2, substitute Schedule 2 to this Order;
- (3) After Schedule 3B, insert Schedule 3BB as set out in Schedule 3 to this Order.

## PART II

### AMENDMENTS TO THE ACT RESULTING FROM THE REVISION OF THE LUGANO CONVENTION

- 9. In section 1(2), after paragraph (a), insert—
  - “(aa) references to, or to any provision of, the Lugano Convention are references to that Convention as amended on the accession to it of Poland; and”.
- 10. In section 1(3), paragraph (3), for the words “Lugano Contracting State” to “United Kingdom” substitute—
  - ““Lugano Contracting State” means—
  - (a) one of the original parties to the Lugano Convention, that is to say Austria, Belgium, Denmark, Finland, France, the Federal Republic of Germany, the Hellenic Republic, Iceland, the Republic of Ireland, Italy, Luxembourg, the Netherlands, Norway, Portugal, Spain, Sweden, Switzerland and the United Kingdom; or
  - (b) a party who has subsequently acceded to that Convention, that is to say, Poland”.
- 11. In section 3A(2), after “the Lugano Convention” insert “as amended on the accession of Poland to that Convention”.
- 12. In Schedule 3C—
  - (a) in article 3, after the entry relating to Austria, insert—
    - “in Poland, Articles 1103 and 1110, of the Code of Civil Procedure,”;
  - (b) in article 32 after the entry relating to Austria, insert—
    - “in Poland, to the sad okregowy,”;
  - (c) in paragraph 1 of article 37, after the entry relating to Austria, insert—
    - “in Poland, to the sad okregowy by an appeal in cassation,”;
  - (d) in paragraph 1 of article 40, after the entry relating to Austria, insert—
    - “in Poland, to the sad apelacyjny,”;
  - (e) in article 41, after the entry relating to Austria, insert—

- “in Poland, by an appeal in cassation,”;
- (f) in article 55—
- (i) after the reference to the Convention signed at London on 12 June 1961, insert—
- “the Convention between Poland and Austria on Bilateral Relations in Civil Matters and on Documents signed at Vienna on December 11 1963,  
the Convention between Poland and France on Applicable Law, Jurisdiction and the Enforcement of Judgments in the Field of Personal and Family Law, signed at Warsaw on April 5 1967,”
- (ii) after the reference to the Convention signed at Copenhagen on 11 October 1977, insert—
- “the Convention between Poland and Greece on Mutual Assistance in Civil and Criminal Matters, signed at Athens on October 24 1979,”; and
- (iii) after the reference to the Convention signed at Vienna on 17 November 1986 insert—
- “the Convention between Poland and Italy on Mutual Assistance and the Recognition and Enforcement of Judgments in Civil Matters, signed at Warsaw on April 28 1989.”

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