
STATUTORY INSTRUMENTS

2018 No. 1124

The Civil Jurisdiction and Judgments (Hague Convention on
Choice of Court Agreements 2005) (EU Exit) Regulations 2018

PART 2

The rights etc deriving from the 2005 Hague Convention

Choice of court agreements concluded before exit day

4.—(1) This regulation applies in the case of an exclusive choice of court agreement which is concluded—

- (a) after the 2005 Hague Convention entered into force for the United Kingdom by virtue of being a member State, but
- (b) before exit day.

(2) The section 4 rights have effect as regards the agreement as if—

- (a) the United Kingdom remained without interruption a State bound by the 2005 Hague Convention on and after exit day, and
- (b) Article 26(6) operated as it would have operated if the United Kingdom had also continued to be a member State on and after exit day.

(3) Notwithstanding the effect that Article 26(2) to (5) would produce if the United Kingdom were a State bound by the 2005 Hague Convention, the section 4 rights do not have effect as regards the agreement if and to the extent that their having effect would conflict with an obligation of the United Kingdom under another treaty.