

SCHEDULE

Amendment of primary and secondary legislation

PART 1

Amendment of primary legislation

Amendment of the Civil Jurisdiction and Judgments Act 1982

12.—(1) The Civil Jurisdiction and Judgments Act 1982(1) is amended as follows.

(2) In section 1 (interpretation of references to the Conventions and Contracting States)—

(a) in subsection (1), omit the definition of “the Maintenance Regulation”;

(b) in subsection (3), omit the definition of “Maintenance Regulation State”.

(3) In section 16 (allocation within UK of jurisdiction in certain civil proceedings), in subsection (4), omit “Schedule 6 to the Civil Jurisdiction and Judgments (Maintenance) Regulations 2011,”.

(4) In section 18 (enforcement of UK judgments in other parts of the UK), in subsection (7), omit “or by virtue of the Civil Jurisdiction and Judgments (Maintenance) Regulations 2011”.

(5) In section 20 (rules as to jurisdiction in Scotland), omit subsection (3)(b) and the “and” preceding it.

(6) In section 24 (interim relief and protective measures in cases of doubtful jurisdiction)—

(a) in subsection (1), omit paragraph (d);

(b) in subsection (2), omit paragraph (d).

(7) In section 25 (interim relief in England and Wales and Northern Ireland in the absence of substantive proceedings)—

(a) in subsection (1)—

(i) in paragraph (a), omit “or a Maintenance Regulation State”;

(ii) in paragraph (b), omit—

(aa) “within the scope of the Maintenance Regulation as determined by Article 1 of that Regulation,”;

(bb) “, the Maintenance Regulation,”;

(b) in subsection (3)—

(i) in paragraph (a), omit “or a Maintenance Regulation State”;

(ii) in paragraph (b), omit “the Maintenance Regulation as determined by Article 1 of that Regulation”.

(8) In section 27 (provisional and protective measures in Scotland in the absence of substantive proceedings)—

(a) in subsection (2)—

(i) in paragraph (a), omit “in another Maintenance Regulation State,”;

(ii) in paragraph (b), omit “is within scope of the Maintenance Regulation as determined by Article 1 of that Regulation or”;

(b) in subsection (3)—

(i) in paragraph (a), omit “Maintenance Regulation State or”;

(1))1982 c. 27, amended by S.I. 2011/1484; there are other amending instruments but none is relevant.

Status: This is the original version (as it was originally made).

- (ii) in paragraph (b), omit “the Maintenance Regulation as determined by Article 1 of that Regulation or”;
 - (iii) in paragraph (d), omit “Maintenance Regulation State”.
- (9) In section 28 (application of s 1 of Administration of Justice (Scotland) Act 1972), omit subsection (2).
- (10) In section 32 (overseas judgments given in proceedings brought in breach of agreement for settlement of disputes), in subsection (4), in paragraph (a) omit “or the Maintenance Regulation”.
- (11) In section 33 (certain steps not to amount to submission to jurisdiction of overseas court), in subsection (2), omit “the Maintenance Regulation or”.
- (12) In section 48 (matters for which rules of court may provide)—
- (a) in subsection (1), omit “the Maintenance Regulation,”;
 - (b) in subsection (2), omit—
 - (i) paragraph (b);
 - (ii) paragraph (c);
 - (c) in subsection (3)—
 - (i) omit “the Maintenance Regulation,”;
 - (ii) in paragraph (a), in both places, omit “Maintenance Regulation State or”;
 - (iii) in paragraph (b), omit “Maintenance Regulation States or”;
 - (iv) in paragraph (e), omit “Maintenance Regulation State or”;
 - (v) in paragraph (g), omit “Maintenance Regulation States or”.
- (13) In section 50 omit the definitions of—
- (a) “the Maintenance Regulation”;
 - (b) “Maintenance Regulation State”.