

# EXHIBIT 41

## Part 2

**TITLE V**

## Transitional provisions

 Law In Force**Article 12**

1. The 1968 Convention and the 1971 Protocol, as amended by the 1978 Convention and this Convention, shall apply only to legal proceedings instituted and to authentic instruments formally drawn up or registered after the entry into force of this Convention in the State of origin and, where recognition or enforcement of a judgment or authentic instrument is sought, in the State addressed.

2. However, judgments given after the date of entry into force of this Convention between the State of origin and the State addressed in proceedings instituted before that date shall be recognised and enforced in accordance with the provisions of Title III of the 1968 Convention, as amended by the 1978 Convention and this Convention, if jurisdiction was founded upon rules which accorded with the provisions of the Title II of the 1968 Convention, as amended, or with the provisions of a convention which was in force between the State of origin and the State addressed when the proceedings were instituted.

**TITLE VI**

## Final Provisions

 Law In Force**Article 13**

The Secretary-General of the Council of the European Communities shall transmit a certified copy of the 1968 Convention, of the 1971 Protocol and of the 1978 Convention in the Danish, Dutch, English, French, German, Irish and Italian Languages to the Government of the Hellenic Republic. The texts of the 1968 Convention, of the 1971 Protocol and of the 1978 Convention, drawn up in the Greek language, shall be annexed to this Convention. The texts drawn up in the Greek language shall be authentic under the same conditions as the other texts of the 1968 Convention, the 1971 Protocol and the 1978 Convention.

 Law In Force**Article 14**

This Convention shall be ratified by the signatory States. The instruments of ratification shall be deposited with the Secretary-General of the Council of the European Communities.

 Law In Force**Article 15**

This Convention shall enter into force, as between the States which have ratified it, on the first day of the third month following the deposit of the last instrument of ratification by the Hellenic Republic and those States which have put into force the 1978 Convention in accordance with Article 39 of that Convention.

It shall enter into force for each Member State which subsequently ratifies it on the first day of the third month following the deposit of its instrument of ratification.

Law In Force

#### **Article 16**

The Secretary-General of the Council of the European Communities shall notify the signatory States of:

- (a) the deposit of each instrument of ratification;
- (b) the dates of entry into force of this Convention for the Contracting States.

Law In Force

#### **Article 17**

This Convention, drawn up in a single original in the Danish, Dutch, English, French, German, Greek, Irish and Italian languages, all eight texts being equally authentic, shall be deposited in the archives of the General Secretariat of the Council of the European Communities. The Secretary-General shall transmit a certified copy to the Government of each signatory State.

] <sup>1</sup>

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#### Notes

- <sup>1</sup> Sch. 3A inserted by S.I. 1989/1346, art. 9(3), Sch. 3

#### Extent

Sch. 3A para. 1: United Kingdom

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### [ SCHEDULE 3B

#### TEXT OF TITLES VI AND VII OF 1989 ACCESSION CONVENTION

#### Section 2(2)

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#### Notes

- <sup>1</sup> Added by Civil Jurisdiction and Judgments Act 1982 (Amendment) Order 1990/2591 Sch.4 para.1 (December 1, 1991 as specified on page 17107 of the London Gazette dated November 8, 1991)
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Law In Force

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**TITLE VI TRANSITIONAL PROVISIONS***Article 29* Law In Force**1.**

The 1968 Convention and the 1971 Protocol, as amended by the 1978 Convention, the 1982 Convention and this Convention, shall apply only to legal proceedings instituted and to authentic instruments formally drawn up or registered after the entry into force of this Convention in the State of origin and, where recognition or enforcement of a judgment or authentic instrument is sought, in the State addressed.

 Law In Force**2.**

However, judgments given after the date of entry into force of this Convention between the State of origin and the State addressed in proceedings instituted before that date shall be recognized and enforced in accordance with the provisions of Title III of the 1968 Convention, as amended by the 1978 Convention, the 1982 Convention and this Convention, if jurisdiction was founded upon rules which accorded with the provisions of Title II of the 1968 Convention, as amended, or with the provisions of a convention which was in force between the State of origin and the State addressed when the proceedings were instituted.

**TITLE VII FINAL PROVISIONS***Article 30* Law In Force**1.**

The Secretary-General of the Council of the European Communities shall transmit a certified copy of the 1968 Convention, of the 1971 Protocol, of the 1978 Convention and of the 1982 Convention in the Danish, Dutch, English, French, German, Greek, Irish and Italian languages to the Governments of the Kingdom of Spain and of the Portuguese Republic.

 Law In Force**2.**

The texts of the 1968 Convention, of the 1971 Protocol, of the 1978 Convention and of the 1982 Convention, drawn up in the Portuguese and Spanish languages, are set out in Annexes II, III, IV and V to this Convention. The texts drawn up in the Portuguese and Spanish languages shall be authentic under the same conditions as the other texts of the 1968 Convention, the 1971 Protocol, the 1978 Convention and the 1982 Convention.

*Article 31* Law In Force

This Convention shall be ratified by the signatory States. The instruments of ratification shall be deposited with the Secretary-General of the Council of the European Communities.

*Article 32* Law In Force**1.**

This Convention shall enter into force on the first day of the third month following the date on which two signatory States, of which one is the Kingdom of Spain or the Portuguese Republic, deposit their instruments of ratification.

 Law In Force**2.**

This Convention shall take effect in relation to any other signatory State on the first day of the third month following the deposit of its instrument of ratification.

*Article 33* Law In Force

The Secretary-General of the Council of the European Communities shall notify the signatory States of—

- (a) the deposit of each instrument of ratification;
- (b) the dates of entry into force of this Convention for the Contracting States.

*Article 34* Law In Force

This Convention, drawn up in a single original in the Danish, Dutch, English, French, German, Greek, Irish, Italian, Portuguese and Spanish languages, all 10 texts being equally authentic, shall be deposited in the archives of the General Secretariat of the Council of the European Communities. The Secretary-General shall transmit a certified copy to the Government of each signatory State.

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**Notes**

- <sup>1</sup> Added by Civil Jurisdiction and Judgments Act 1982 (Amendment) Order 1990/2591 Sch.4 para.1 (December 1, 1991 as specified on page 17107 of the London Gazette dated November 8, 1991)

**Extent**

Sch. 3B para. 1: United Kingdom

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**[ SCHEDULE 3BB****TEXT OF TITLES V AND VI OF 1996 ACCESSION CONVENTION****Section 2(2)**] <sup>1</sup>**Notes**

- <sup>1</sup> Added by Civil Jurisdiction and Judgments Act 1982 (Amendment) Order 2000/1824 Sch.3 para.1 (January 1, 2001: coming into force 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. The date will be notified in the London, Edinburgh and Belfast Gazettes)

 Law In Force

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**TITLE V****TRANSITIONAL PROVISIONS** Law In Force***Article 13***

1. The 1968 Convention and the 1971 Protocol, as amended by the 1978 Convention, the 1982 Convention, the 1989 Convention and by this Convention, shall apply only to legal proceedings instituted and to authentic instruments formally drawn up or registered after the entry into force of this Convention in the State of origin and, where recognition or enforcement of a judgment of authentic instrument is sought, in the State addressed.
2. However, judgments given after the date of entry into force of this Convention between the State of origin and the State addressed in proceedings instituted before that date shall be recognised and enforced in accordance with the provisions of Title III of the 1968 Convention, as amended by the 1978 Convention, the 1982 Convention, the 1989 Convention and this Convention, if jurisdiction was founded upon rules which accorded with the provisions of Title II, as amended, of the 1968 Convention, or with the provisions of a convention which was in force between the State of origin and the State addressed when the proceedings were instituted.

**TITLE VI****FINAL PROVISIONS** Law In Force***Article 14***

1. The Secretary-General of the Council of the European Union shall transmit a certified copy of the 1968 Convention, of the 1971 Protocol, of the 1978 Convention, of the 1982 Convention and of the 1989 Convention in the Danish, Dutch, English, German, Greek, Irish, Italian, Spanish and Portuguese languages to the Governments of the Republic of Austria, the Republic of Finland and the Kingdom of Sweden.

2. The texts of the 1968 Convention, of the 1971 Protocol, of the 1978 Convention, of the 1982 Convention and of the 1989 Convention, drawn up in the Finnish and Swedish languages, shall be authentic under the same conditions as the other texts of the 1968 Convention, the 1971 Protocol, and 1978 Convention, the 1982 Convention and the 1989 Convention.

Law In Force

#### ***Article 15***

This Convention shall be ratified by the signatory States. The instruments of ratification shall be deposited with the Secretary-General of the Council of the European Union.

Law In Force

#### ***Article 16***

1. This Convention shall enter into force on the first day of the third month following the date on which two signatory States, one of which is the Republic of Austria, the Republic of Finland or the Kingdom of Sweden, deposit their instruments of ratification.

2. This Convention shall produce its effects for any other signatory State on the first day of the third month following the deposit of its instrument of ratification.

Law In Force

#### ***Article 17***

The Secretary-General of the Council of the European Union shall notify the signatory States of:

(a) the deposit of each instrument of ratification;

(b) the dates of entry into force of this Convention for the Contracting States.

Law In Force

#### ***Article 18***

This Convention, drawn up in a single original in the Danish, Dutch, English, Finnish, French, German, Greek, Irish, Italian, Portuguese, Spanish and Swedish languages, all twelve texts being equally authentic, shall be deposited in the archives of the General Secretariat of the Council of the European Union. The Secretary-General shall transmit a certified copy to the Government of each signatory State.

] <sup>1</sup>

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#### Notes

<sup>1</sup> Added by Civil Jurisdiction and Judgments Act 1982 (Amendment) Order 2000/1824 Sch.3 para.1 (January 1, 2001: coming into force 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. The date will be notified in the London, Edinburgh and Belfast Gazettes)

**Extent**

Sch. 3BB para. 1: United Kingdom

**[ SCHEDULE 3C****TEXT OF THE LUGANO CONVENTION****Section 3A(2)**] <sup>1</sup>**Notes**

<sup>1</sup> Added by Civil Jurisdiction and Judgments Act 1991 c. 12 Sch.1 para.1 (May 1, 1992: represents law in force as at date shown )

**Ⓜ** Repealed[...]<sup>1</sup>**Notes**

<sup>1</sup> Repealed by Civil Jurisdiction and Judgments Regulations 2009/3131 reg.25 (January 1, 2010: repeal has effect subject to savings specified in SI 2009/3131 reg.48)

**[ SCHEDULE 4****CHAPTER II OF THE REGULATION AS MODIFIED: RULES FOR ALLOCATION OF JURISDICTION WITHIN UK****Section 16**] <sup>1</sup>**Notes**

<sup>1</sup> Substituted by Civil Jurisdiction and Judgments Order 2001/3929 Sch.2(II) para.4 (March 1, 2002)

**Ⓜ** Repealed[...]<sup>1</sup>**Notes**

<sup>1</sup> Substituted by Civil Jurisdiction and Judgments Order 2001/3929 Sch.2(II) para.4 (March 1, 2002)

*[General]* <sup>1</sup>**Notes**

<sup>1</sup> Substituted by Civil Jurisdiction and Judgments Order 2001/3929 Sch.2(II) para.4 (March 1, 2002)



Law In Force**[ 1.**

Subject to the rules of this Schedule, persons domiciled in a part of the United Kingdom shall be sued in the courts of that part.

] <sup>1</sup>

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**Notes**

<sup>1</sup> Substituted by Civil Jurisdiction and Judgments Order 2001/3929 Sch.2(II) para.4 (March 1, 2002)

**Extent**

Sch. 4 para. 1: United Kingdom

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 Law In Force**[ 2.**

Persons domiciled in a part of the United Kingdom may be sued in the courts of another part of the United Kingdom only by virtue of rules 3 to 13 of this Schedule.

] <sup>1</sup>

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**Notes**

<sup>1</sup> Substituted by Civil Jurisdiction and Judgments Order 2001/3929 Sch.2(II) para.4 (March 1, 2002)

**Extent**

Sch. 4 para. 2: United Kingdom

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*[Special jurisdiction] <sup>1</sup>*

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**Notes**

<sup>1</sup> Substituted by Civil Jurisdiction and Judgments Order 2001/3929 Sch.2(II) para.4 (March 1, 2002)

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 Law In Force**[ 3.**

A person domiciled in a part of the United Kingdom may, in another part of the United Kingdom, be sued—

- (a) in matters relating to a contract, in the courts for the place of performance of the obligation in question;
- (b) in matters relating to maintenance, in the courts for the place where the maintenance creditor is domiciled or habitually resident or, if the matter is ancillary to proceedings concerning the status of a person, in the court which, according to its own law, has jurisdiction to entertain those proceedings, unless that jurisdiction is based solely on the nationality of one of the parties;
- (c) in matters relating to tort, delict or quasi-delict, in the courts for the place where the harmful event occurred or may occur;

- (d) as regards a civil claim for damages or restitution which is based on an act giving rise to criminal proceedings, in the court seised of those proceedings, to the extent that that court has jurisdiction under its own law to entertain civil proceedings;
- (e) as regards a dispute arising out of the operations of a branch, agency or other establishment, in the courts for the place in which the branch, agency or other establishment is situated;
- (f) as settlor, trustee or beneficiary of a trust created by the operation of a statute, or by a written instrument, or created orally and evidenced in writing, in the courts of the part of the United Kingdom in which the trust is domiciled;
- (g) as regards a dispute concerning the payment of remuneration claimed in respect of the salvage of a cargo or freight, in the court under the authority of which the cargo or freight in question—
- (i) has been arrested to secure such payment; or
  - (ii) could have been so arrested, but bail or other security has been given;
- provided that this provision shall apply only if it is claimed that the defendant has an interest in the cargo or freight or had such an interest at the time of salvage;
- (h) in proceedings—
- (i) concerning a debt secured on immovable property; or
  - (ii) which are brought to assert, declare or determine proprietary or possessory rights, or rights of security, in or over movable property, or to obtain authority to dispose of movable property;
- in the courts of the part of the United Kingdom in which the property is situated.

] <sup>1</sup>

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**Notes**<sup>1</sup> Substituted by Civil Jurisdiction and Judgments Order 2001/3929 Sch.2(II) para.4 (March 1, 2002)**Extent**Sch. 4 para. 3(a)-(h)(ii): United Kingdom

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 Law In Force**[ 4.**

Proceedings which have as their object a decision of an organ of a company or other legal person or of an association of natural or legal persons may, without prejudice to the other provisions of this Schedule, be brought in the courts of the part of the United Kingdom in which that company, legal person or association has its seat.

] <sup>1</sup>

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**Notes**<sup>1</sup> Substituted by Civil Jurisdiction and Judgments Order 2001/3929 Sch.2(II) para.4 (March 1, 2002)**Extent**Sch. 4 para. 4: United Kingdom

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Law In Force

**[ 5.**

A person domiciled in a part of the United Kingdom may, in another part of the United Kingdom, also be sued—

- (a) where he is one of a number of defendants, in the courts for the place where any one of them is domiciled, provided the claims are so closely connected that it is expedient to hear and determine them together to avoid the risk of irreconcilable judgments resulting from separate proceedings;
- (b) as a third party in an action on a warranty or guarantee or in any other third party proceedings, in the court seised of the original proceedings, unless these were instituted solely with the object of removing him from the jurisdiction of the court which would be competent in his case;
- (c) on a counter-claim arising from the same contract or facts on which the original claim was based, in the court in which the original claim is pending;
- (d) in matters relating to a contract, if the action may be combined with an action against the same defendant in matters relating to rights *in rem* in immovable property, in the court of the part of the United Kingdom in which the property is situated.

] <sup>1</sup>

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**Notes**

<sup>1</sup> Substituted by Civil Jurisdiction and Judgments Order 2001/3929 Sch.2(II) para.4 (March 1, 2002)

**Extent**

Sch. 4 para. 5(a)-(d): United Kingdom

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Law In Force

**[ 6.**

Where by virtue of this Schedule a court of a part of the United Kingdom has jurisdiction in actions relating to liability arising from the use or operation of a ship, that court, or any other court substituted for this purpose by the internal law of that part, shall also have jurisdiction over claims for limitation of such liability.

] <sup>1</sup>

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**Notes**

<sup>1</sup> Substituted by Civil Jurisdiction and Judgments Order 2001/3929 Sch.2(II) para.4 (March 1, 2002)

**Extent**

Sch. 4 para. 6: United Kingdom

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*[ Jurisdiction over consumer contracts ] <sup>1</sup>*

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**Notes**

<sup>1</sup> Substituted by Civil Jurisdiction and Judgments Order 2001/3929 Sch.2(II) para.4 (March 1, 2002)

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Law In Force

### [ 7.—

(1) In matters relating to a contract concluded by a person, the consumer, for a purpose which can be regarded as being outside his trade or profession, jurisdiction shall be determined by this rule and rules 8 and 9, without prejudice to rule 3(e) and (h)(ii), if—

- (a) it is a contract for the sale of goods on instalment credit terms; or
- (b) it is a contract for a loan repayable by instalments, or for any other form of credit, made to finance the sale of goods; or
- (c) in all other cases, the contract has been concluded with a person who pursues commercial or professional activities in the part of the United Kingdom in which the consumer is domiciled or, by any means, directs such activities to that part or to other parts of the United Kingdom including that part, and the contract falls within the scope of such activities.

(2) This rule shall not apply to a contract of transport other than a contract which, for an inclusive price, provides for a combination of travel and accommodation, or to a contract of insurance.

] <sup>1</sup>

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#### Notes

<sup>1</sup> Substituted by Civil Jurisdiction and Judgments Order 2001/3929 Sch.2(II) para.4 (March 1, 2002)

#### Extent

Sch. 4 para. 7(1)-(2): United Kingdom

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Law In Force

### [ 8.—

(1) A consumer may bring proceedings against the other party to a contract either in the courts of the part of the United Kingdom in which that party is domiciled or in the courts of the part of the United Kingdom in which the consumer is domiciled.

(2) Proceedings may be brought against a consumer by the other party to the contract only in the courts of the part of the United Kingdom in which the consumer is domiciled.

(3) The provisions of this rule shall not affect the right to bring a counter-claim in the court in which, in accordance with this rule and rules 7 and 9, the original claim is pending.

] <sup>1</sup>

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#### Notes

<sup>1</sup> Substituted by Civil Jurisdiction and Judgments Order 2001/3929 Sch.2(II) para.4 (March 1, 2002)

#### Extent

Sch. 4 para. 8(1)-(3): United Kingdom

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Law In Force

### [ 9.

The provisions of rules 7 and 8 may be departed from only by an agreement—

- (a) which is entered into after the dispute has arisen; or
- (b) which allows the consumer to bring proceedings in courts other than those indicated in those rules; or
- (c) which is entered into by the consumer and the other party to the contract, both of whom are at the time of conclusion of the contract domiciled or habitually resident in the same part of the United Kingdom, and which confers jurisdiction on the courts of that part, provided that such an agreement is not contrary to the law of that part.

] <sup>1</sup>

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**Notes**<sup>1</sup> Substituted by Civil Jurisdiction and Judgments Order 2001/3929 Sch.2(II) para.4 (March 1, 2002)**Extent**Sch. 4 para. 9(a)-(c): United Kingdom

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*[Jurisdiction over individual contracts of employment]* <sup>1</sup>

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**Notes**<sup>1</sup> Substituted by Civil Jurisdiction and Judgments Order 2001/3929 Sch.2(II) para.4 (March 1, 2002)

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 Law In Force**[ 10.—**

- (1) In matters relating to individual contracts of employment, jurisdiction shall be determined by this rule, without prejudice to rule a3(e).
- (2) An employer may be sued—
  - (a) in the courts of the part of the United Kingdom in which he is domiciled; or
  - (b) in the courts of the part of the United Kingdom where the employee habitually carries out his work or in the courts of that part where he last did so; or
  - (c) if the employee does not or did not habitually carry out his work in any one place, in the courts of the part of the United Kingdom where the business which engaged the employee is or was situated.
- (3) An employer may bring proceedings only in the courts of the part of the United Kingdom in which the employee is domiciled.
- (4) The provisions of this rule shall not affect the right to bring a counter-claim in the court in which, in accordance with this rule, the original claim is pending.
- (5) The provisions of this rule may be departed from only by an agreement on jurisdiction—
  - (a) which is entered into after the dispute has arisen; or
  - (b) which allows the employee to bring proceedings in courts other than those indicated in this rule.

] <sup>1</sup>

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**Notes**

<sup>1</sup> Substituted by Civil Jurisdiction and Judgments Order 2001/3929 Sch.2(II) para.4 (March 1, 2002)

**Extent**

Sch. 4 para. 10(1)-(5)(b): United Kingdom

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*[Exclusive jurisdiction]*<sup>1</sup>

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**Notes**

<sup>1</sup> Substituted by Civil Jurisdiction and Judgments Order 2001/3929 Sch.2(II) para.4 (March 1, 2002)

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Law In Force

**[ 11.**

The following courts shall have exclusive jurisdiction, regardless of domicile:—

(a)

(i) in proceedings which have as their object rights *in rem* in immovable property or tenancies of immovable property, the courts of the part of the United Kingdom in which the property is situated;

(ii) however, in proceedings which have as their object tenancies of immovable property concluded for temporary private use for a maximum period of six consecutive months, the courts of the part of the United Kingdom in which the defendant is domiciled shall also have jurisdiction, provided that the tenant is a natural person and that the landlord and the tenant are domiciled in the same part of the United Kingdom;

(b) in proceedings which have as their object the validity of the constitution, the nullity or the dissolution of companies or other legal persons or associations of natural or legal persons, the courts of the part of the United Kingdom in which the company, legal person or association has its seat;

(c) in proceedings which have as their object the validity of entries in public registers, the courts of the part of the United Kingdom in which the register is kept;

(d) in proceedings concerned with the enforcement of judgments, the courts of the part of the United Kingdom in which the judgment has been or is to be enforced.

] <sup>1</sup>

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**Notes**

<sup>1</sup> Substituted by Civil Jurisdiction and Judgments Order 2001/3929 Sch.2(II) para.4 (March 1, 2002)

**Extent**

Sch. 4 para. 11(a)-(d): United Kingdom

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*[Prorogation of jurisdiction]<sup>1</sup>*

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**Notes**

<sup>1</sup> Substituted by Civil Jurisdiction and Judgments Order 2001/3929 Sch.2(II) para.4 (March 1, 2002)

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Law In Force

**[ 12.—**

(1) If the parties have agreed that a court or the courts of a part of the United Kingdom are to have jurisdiction to settle any disputes which have arisen or which may arise in connection with a particular legal relationship, and, apart from this Schedule, the agreement would be effective to confer jurisdiction under the law of that part, that court or those courts shall have jurisdiction.

(2) The court or courts of a part of the United Kingdom on which a trust instrument has conferred jurisdiction shall have jurisdiction in any proceedings brought against a settlor, trustee or beneficiary, if relations between these persons or their rights or obligations under the trust are involved.

(3) Agreements or provisions of a trust instrument conferring jurisdiction shall have no legal force if they are contrary to the provisions of rule 9, or if the courts whose jurisdiction they purport to exclude have exclusive jurisdiction by virtue of rule 11.

] <sup>1</sup>

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**Notes**

<sup>1</sup> Substituted by Civil Jurisdiction and Judgments Order 2001/3929 Sch.2(II) para.4 (March 1, 2002)

**Extent**

Sch. 4 para. 12(1)-(3): United Kingdom

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Law In Force

**[ 13.—**

(1) Apart from jurisdiction derived from other provisions of this Schedule, a court of a part of the United Kingdom before which a defendant enters an appearance shall have jurisdiction.

(2) This rule shall not apply where appearance was entered to contest the jurisdiction, or where another court has exclusive jurisdiction by virtue of rule 11.

] <sup>1</sup>

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**Notes**

<sup>1</sup> Substituted by Civil Jurisdiction and Judgments Order 2001/3929 Sch.2(II) para.4 (March 1, 2002)

**Extent**

Sch. 4 para. 13(1)-(2): United Kingdom

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*[Examination as to jurisdiction and admissibility]*<sup>1</sup>

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Notes

<sup>1</sup> Substituted by Civil Jurisdiction and Judgments Order 2001/3929 Sch.2(II) para.4 (March 1, 2002)

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Law In Force

**[ 14.**

Where a court of a part of the United Kingdom is seised of a claim which is principally concerned with a matter over which the courts of another part of the United Kingdom have exclusive jurisdiction by virtue of rule 11, it shall declare of its own motion that it has no jurisdiction.

**]**<sup>1</sup>

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Notes

<sup>1</sup> Substituted by Civil Jurisdiction and Judgments Order 2001/3929 Sch.2(II) para.4 (March 1, 2002)

**Extent**

Sch. 4 para. 14: United Kingdom

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Law In Force

**[ 15.—**

(1) Where a defendant domiciled in one part of the United Kingdom is sued in a court of another part of the United Kingdom and does not enter an appearance, the court shall declare of its own motion that it has no jurisdiction unless its jurisdiction is derived from the provisions of this Schedule.

(2) The court shall stay the proceedings so long as it is not shown that the defendant has been able to receive the document instituting the proceedings or an equivalent document in sufficient time to enable him to arrange for his defence, or that all necessary steps have been taken to this end.

**]**<sup>1</sup>

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Notes

<sup>1</sup> Substituted by Civil Jurisdiction and Judgments Order 2001/3929 Sch.2(II) para.4 (March 1, 2002)

**Extent**

Sch. 4 para. 15(1)-(2): United Kingdom

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*[Provisional, including protective, measures]*<sup>1</sup>

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Notes

<sup>1</sup> Substituted by Civil Jurisdiction and Judgments Order 2001/3929 Sch.2(II) para.4 (March 1, 2002)

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Law In Force

**[ 16.**

Application may be made to the courts of a part of the United Kingdom for such provisional, including protective, measures as may be available under the law of that part, even if, under this Schedule, the courts of another part of the United Kingdom have jurisdiction as to the substance of the matter.

]<sup>1</sup>

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**Notes**

<sup>1</sup> Substituted by Civil Jurisdiction and Judgments Order 2001/3929 Sch.2(II) para.4 (March 1, 2002)

**Extent**

Sch. 4 para. 16: United Kingdom

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## SCHEDULE 5

### PROCEEDINGS EXCLUDED FROM SCHEDULE 4

#### Section 17

#### *Proceedings under the Companies Acts*

Law In Force

**1.**

Proceedings for the winding up of a company under the [ Insolvency Act 1986 ]<sup>1</sup> or the Companies Act (Northern Ireland) 1960, or proceedings relating to a company as respects which jurisdiction is conferred on the court having winding up jurisdiction under either of those Acts.

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**Notes**

<sup>1</sup> Words substituted by virtue of Companies Consolidation (Consequential Provisions) Act 1985 (c.9) s. 30, Sch. 2 and Insolvency Act 1986 (c.45), s. 439(2), Sch. 14

**Commencement**

Sch. 5 para. 1: January 1, 1987 (SI 1986/2044 art. 2)

**Extent**

Sch. 5 para. 1: United Kingdom

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*Patents, trade marks, designs and similar rights*

Law In Force

**2.**

Proceedings concerned with the registration or validity of patents, trade marks, designs or other similar rights required to be deposited or registered.

<sup>1</sup>

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Notes

<sup>1</sup> Sch.5 para. 2 extended by Patents, Designs and Marks Act 1986 (c.39), s. 2, Sch. 2 Pt. I para. 1(2)(j)

**Commencement**

Sch. 5 para. 2: January 1, 1987 (SI 1986/2044 art. 2)

**Extent**

Sch. 5 para. 2: United Kingdom

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*Protection of Trading Interests Act 1980*

Law In Force

**3.**

Proceedings under section 6 of the Protection of Trading Interests Act 1980 (recovery of sums paid or obtained pursuant to a judgment for multiple damages).

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**Commencement**

Sch. 5 para. 3: January 1, 1987 (SI 1986/2044 art. 2)

**Extent**

Sch. 5 para. 3: United Kingdom

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*Appeals etc. from tribunals*

Law In Force

**4.**

Proceedings on appeal from, or for review of, decisions of tribunals.

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**Commencement**

Sch. 5 para. 4: January 1, 1987 (SI 1986/2044 art. 2)

**Extent**

Sch. 5 para. 4: United Kingdom

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*Maintenance and similar payments to local and other public authorities*

Law In Force

**5.**

Proceedings for, or otherwise relating to, an order under any of the following provisions—

(a) [ paragraph 23 of Schedule 2 to the Children Act 1989 ]<sup>1</sup>, section 80 of the Social Work (Scotland) Act 1968 [ section 156 of the Children and Young Persons Act (Northern Ireland) 1968 or Article 41 of the Children (Northern Ireland) Order 1995 ]<sup>2</sup> (contributions in respect of children in care, etc.);

(b) section 49 or 50 of the Child Care Act 1980, section 81 of the Social Work (Scotland) Act 1968 or section 159 of the Children and Young Persons Act (Northern Ireland) 1968 (applications for, or for variation of, affiliation orders in respect of children in care, etc.);

(c) section 43 of the National Assistance Act 1948, section 18 of the Supplementary Benefits Act 1976, [ section 24 of the Social Security Act 1986 , [ section 106 of the Social Security Administration Act 1992 or any enactment applying in Northern Ireland and corresponding to either of them, ]<sup>4</sup> ]<sup>3</sup> Article 101 of the Health and Personal Social Services (Northern Ireland) Order 1972 or Article 23 of the Supplementary Benefits (Northern Ireland) Order 1977 (recovery of cost of assistance or benefit from person liable to maintain the assisted person);

(d) section 44 of the National Assistance Act 1948, section 19 of the Supplementary Benefits Act 1976, Article 102 of the Health and Personal Social Services (Northern Ireland) Order 1972 or Article 24 of the Supplementary Benefits (Northern Ireland) Order 1977 (applications for, or for variation of, affiliation orders in respect of children for whom assistance or benefit provided). [ <sup>6</sup> ]<sup>5</sup> [ <sup>8</sup> ]<sup>7</sup>

**Notes**

<sup>1</sup> Words substituted by Children Act 1989 c. 41 Sch.13 para.47 (October 14, 1991: represents law in force as at date shown)

<sup>2</sup> Words substituted by Children (Northern Ireland Consequential Amendments) Order 1995/756 art.10 (November 4, 1996 being the day appointed by SR 1996 No. 297)

<sup>3</sup> Words inserted by Social Security Act 1986 (c.50), s. 86, Sch. 10, Pt. II para. 55

<sup>4</sup> Words substituted by Social Security (Consequential Provisions) Act 1992 c. 6 Sch.2 para.62 (July 1, 1992)

<sup>5</sup> Words repealed by Health and Social Care Act 2008 c. 14 Sch.15(5) para.1 (April 6, 2009 as SI 2009/631)

<sup>6</sup> **In relation to Wales:**

**5.**

Proceedings for, or otherwise relating to, an order under any of the following provisions—

(a) paragraph 23 of Schedule 2 to the Children Act 1989, section 80 of the Social Work (Scotland) Act 1968 section 156 of the Children and Young Persons Act (Northern Ireland) 1968 or Article 41 of the Children (Northern Ireland) Order 1995 (contributions in respect of children in care, etc.);

(b) section 49 or 50 of the Child Care Act 1980, section 81 of the Social Work (Scotland) Act 1968 or section 159 of the Children and Young Persons Act (Northern Ireland) 1968 (applications for, or for variation of, affiliation orders in respect of children in care, etc.);

(c) section 18 of the Supplementary Benefits Act 1976, section 24 of the Social Security Act 1986, section 106 of the Social Security Administration Act 1992 or any enactment applying in Northern Ireland and corresponding to either of them, Article 101 of the Health and Personal Social Services (Northern Ireland) Order 1972 or Article 23 of the Supplementary Benefits (Northern Ireland) Order 1977 (recovery of cost of assistance or benefit from person liable to maintain the assisted person);

(d) section 44 of the National Assistance Act 1948, section 19 of the Supplementary Benefits Act 1976, Article 102 of the Health and Personal Social Services (Northern Ireland) Order 1972 or Article 24 of the Supplementary Benefits (Northern Ireland) Order 1977 (applications for, or for variation of, affiliation orders in respect of children for whom assistance or benefit provided).

<sup>7</sup> Words repealed by Health and Social Care Act 2008 c. 14 Sch.15(5) para.1 (April 6, 2009 as SI 2009/462)

<sup>8</sup> **In relation to England:**

## 5.

Proceedings for, or otherwise relating to, an order under any of the following provisions—

(a) paragraph 23 of Schedule 2 to the Children Act 1989, section 80 of the Social Work (Scotland) Act 1968 section 156 of the Children and Young Persons Act (Northern Ireland) 1968 or Article 41 of the Children (Northern Ireland) Order 1995 (contributions in respect of children in care, etc.);

(b) section 49 or 50 of the Child Care Act 1980, section 81 of the Social Work (Scotland) Act 1968 or section 159 of the Children and Young Persons Act (Northern Ireland) 1968 (applications for, or for variation of, affiliation orders in respect of children in care, etc.);

(c) section 18 of the Supplementary Benefits Act 1976, section 24 of the Social Security Act 1986, section 106 of the Social Security Administration Act 1992 or any enactment applying in Northern Ireland and corresponding to either of them, Article 101 of the Health and Personal Social Services (Northern Ireland) Order 1972 or Article 23 of the Supplementary Benefits (Northern Ireland) Order 1977 (recovery of cost of assistance or benefit from person liable to maintain the assisted person);

(d) section 44 of the National Assistance Act 1948, section 19 of the Supplementary Benefits Act 1976, Article 102 of the Health and Personal Social Services (Northern Ireland) Order 1972 or Article 24 of the Supplementary Benefits (Northern Ireland) Order 1977 (applications for, or for variation of, affiliation orders in respect of children for whom assistance or benefit provided).

### Commencement

Sch. 5 para. 5: January 1, 1987 (SI 1986/2044 art. 2)

### Extent

Sch. 5 para. 5(a)-(d): United Kingdom

### *Proceedings under certain conventions, etc.*

Law In Force

## 6.

Proceedings brought in any court in pursuance of—

(a) any statutory provision which, in the case of any convention to which Article 57 [or Article 71 of the Regulation ]<sup>1</sup> applies (conventions relating to specific matters which override the general rules [...]<sup>2</sup>), implements the convention or makes provision with respect to jurisdiction in any field to which the convention relates; and

(b) any rule of law so far as it has the effect of implementing any such convention.

### Notes

<sup>1</sup> Words inserted by Civil Jurisdiction and Judgments Order 2001/3929 Sch.2(II) para.5(a) (March 1, 2002)

<sup>2</sup> Words repealed by Civil Jurisdiction and Judgments Order 2001/3929 Sch.2(II) para.5(b) (March 1, 2002)

**Commencement**

Sch. 5 para. 6: January 1, 1987 (SI 1986/2044 art. 2)

**Extent**

Sch. 5 para. 6(a)-(b): United Kingdom

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*Certain Admiralty proceedings in Scotland*

Law In Force

**7.**

Proceedings in Scotland in an [ admiralty action ]<sup>1</sup> where the jurisdiction of the Court of Session or, as the case may be, of the sheriff is based on arrestment *in rem* or *ad fundandam jurisdictionem* of a ship, cargo or freight.

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**Notes**

<sup>1</sup> Words substituted by Bankruptcy and Diligence etc. (Scotland) Act 2007 asp 3 (Scottish Act) Sch.4 para.5(1) (July 10, 2010: July 1, 2010 subject to savings specified in SSI 2010/249 art.3)

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**Commencement**

Sch. 5 para. 7: January 1, 1987 (SI 1986/2044 art. 2)

**Extent**

Sch. 5 para. 7: United Kingdom

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*Register of aircraft mortgages*

Law In Force

**8.**

Proceedings for the rectification of the register of aircraft mortgages kept by the Civil Aviation Authority.

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**Commencement**

Sch. 5 para. 8: January 1, 1987 (SI 1986/2044 art. 2)

**Extent**

Sch. 5 para. 8: United Kingdom

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*Continental Shelf Act 1964*

Law In Force

**9.**

Proceedings brought in any court in pursuance of an order under [ section 11 of the Petroleum Act 1998 ]<sup>1</sup>.

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Notes

<sup>1</sup> Words substituted by Petroleum Act 1998 c. 17 Sch.4 para.17 (February 15, 1999)

**Commencement**

Sch. 5 para. 9: January 1, 1987 (SI 1986/2044 art. 2)

**Extent**

Sch. 5 para. 9: United Kingdom

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*[Financial Services Act 1986]<sup>1</sup>*

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Notes

<sup>1</sup> Sch.5 para. 10 substituted by Companies Act 1989 (c.40), ss. 200(2), 213(2)

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Law In Force

**[ 10.**

Proceedings such as are mentioned in [ section 415 of the Financial Services and Markets Act 2000 ]<sup>2</sup>.

]<sup>1</sup>

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Notes

<sup>1</sup> Sch.5 para. 10 substituted by Companies Act 1989 (c.40), ss. 200(2), 213(2)

<sup>2</sup> Words substituted by Financial Services and Markets Act 2000 c. 8 Sch.20 para.3 (September 3, 2001: commencement order SI)

**Commencement**

Sch. 5 para. 10: January 1, 1987 (SI 1986/2044 art. 2)

**Extent**

Sch. 5 para. 10: United Kingdom

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**SCHEDULE 6****ENFORCEMENT OF U.K. JUDGMENTS (MONEY PROVISIONS)****Section 18***Preliminary* Law In Force**1.**

In this Schedule—

“judgment” means any judgment to which section 18 applies and references to the giving of a judgment shall be construed accordingly;

“money provision” means a provision for the payment of one or more sums of money;

“prescribed” means prescribed by rules of court.

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**Commencement**

Sch. 6 para. 1: January 1, 1987 (SI 1986/2044 art. 2)

**Extent**Sch. 6 para. 1 definition of "judgment"- definition of "prescribed": United Kingdom

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*Certificates in respect of judgments* Law In Force**2.**

(1) Any interested party who wishes to secure the enforcement in another part of the United Kingdom of any money provisions contained in a judgment may apply for a certificate under this Schedule.

(2) The application shall be made in the prescribed manner to the proper officer of the original court, that is to say—

(a) in relation to a judgment within paragraph (a) of the definition of “judgment” in section 18(2), the court by which the judgment or order was given or made;

(b) in relation to a judgment within paragraph (b) of that definition, the court in which the judgment or order is entered;

(c) in relation to a judgment within paragraph (c) of that definition, the court in whose books the document is registered;

(d) in relation to a judgment within paragraph (d) of the definition, the tribunal by which the award or order was made;

(e) in relation to a judgment within paragraph (e) of that definition, the court which gave the judgment or made the order by virtue of which the award has become enforceable as mentioned in that paragraph.

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**Commencement**

Sch. 6 para. 2: January 1, 1987 (SI 1986/2044 art. 2)

**Extent**

Sch. 6 para. 2(1)-(2)(e): United Kingdom

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Law In Force

**3.**

A certificate shall not be issued under this Schedule in respect of a judgment unless under the law of the part of the United Kingdom in which the judgement was given—

(a) either—

(i) the time for bringing an appeal against the judgment has expired, no such appeal having been brought within that time; or

(ii) such an appeal having been brought within that time, that appeal has been finally disposed of; and

(b) enforcement of the judgment is not for the time being stayed or suspended, and the time available for its enforcement has not expired.

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**Commencement**

Sch. 6 para. 3: January 1, 1987 (SI 1986/2044 art. 2)

**Extent**

Sch. 6 para. 3(a)-(b): United Kingdom

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Law In Force

**4.—**

(1) Subject to paragraph 3, on an application under paragraph 2 the proper officer shall issue to the applicant a certificate in the prescribed form—

(a) stating the sum or aggregate of the sums (including any costs or expenses) payable under the money provisions contained in the judgment, the rate of interest, if any, payable thereon and the date or time from which any such interest began to accrue;

(b) stating that the conditions specified in paragraph 3(a) and (b) are satisfied in relation to the judgment; and

(c) containing such other particulars as may be prescribed.

(2) More than one certificate may be issued under this Schedule (simultaneously or at different times) in respect of the same judgment.



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**Commencement**

Sch. 6 para. 4: January 1, 1987 (SI 1986/2044 art. 2)

**Extent**

Sch. 6 para. 4(1)-(2): United Kingdom

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*Registration of certificates*

Law In Force

**5.—**

(1) Where a certificate has been issued under this Schedule in any part of the United Kingdom, any interested party may, within six months from the date of its issue, apply in the prescribed manner to the proper officer of the superior court in any other part of the United Kingdom for the certificate to be registered in that court.

(2) In this paragraph “superior court” means, in relation to England and Wales or Northern Ireland, the High Court and, in relation to Scotland, the Court of Session.

(3) Where an application is duly made under this paragraph to the proper officer of a superior court, he shall register the certificate in that court in the prescribed manner.

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**Commencement**

Sch. 6 para. 5: January 1, 1987 (SI 1986/2044 art. 2)

**Extent**

Sch. 6 para. 5(1)-(3): United Kingdom

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*General effect of registration*

Law In Force

**6.—**

(1) A certificate registered under this Schedule shall, for the purposes of its enforcement, be of the same force and effect, the registering court shall have in relation to its enforcement the same powers, and proceedings for or with respect to its enforcement may be taken, as if the certificate had been a judgment originally given in the registering court and had (where relevant) been entered.

(2) Sub-paragraph (1) is subject to the following provisions of this Schedule and to any provision made by rules of court as to the manner in which and the conditions subject to which a certificate registered under this Schedule may be enforced.

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**Commencement**

Sch. 6 para. 6: January 1, 1987 (SI 1986/2044 art. 2)

**Extent**

Sch. 6 para. 6(1)-(2): United Kingdom

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*Costs or expenses*

Law In Force

**7.**

Where a certificate is registered under this Schedule, the reasonable costs or expenses of and incidental to the obtaining of the certificate and its registration shall be recoverable as if they were costs or expenses stated in the certificate to be payable under a money provision contained in the original judgment.

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**Commencement**

Sch. 6 para. 7: January 1, 1987 (SI 1986/2044 art. 2)

**Extent**

Sch. 6 para. 7: United Kingdom

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*Interest*

Law In Force

**8.—**

(1) Subject to any provision made under sub-paragraph (2), the debt resulting, apart from paragraph 7, from the registration of the certificate shall carry interest at the rate, if any, stated in the certificate from the date or time so stated.

(2) Provision may be made by rules of court as to the manner in which and the periods by reference to which any interest payable by virtue of sub-paragraph (1) is to be calculated and paid, including provision for such interest to cease to accrue as from a prescribed date.

(3) All such sums as are recoverable by virtue of paragraph 7 carry interest as if they were the subject of an order for costs or expenses made by the registering court on the date of registration of the certificate.

(4) Except as provided by this paragraph sums payable by virtue of the registration of a certificate under this Schedule shall not carry interest.

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**Commencement**

Sch. 6 para. 8: January 1, 1987 (SI 1986/2044 art. 2)

**Extent**

Sch. 6 para. 8(1)-(4): United Kingdom

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*Stay or sisting of enforcement in certain cases*

Law In Force

**9.**

Where a certificate in respect of a judgment has been registered under this Schedule, the registering court may, if it is satisfied that any person against whom it is sought to enforce the certificate is entitled and intends to apply under the law of the part of the United Kingdom in which the judgment was given for any remedy which would result in the setting aside or quashing of the judgment, stay (or, in Scotland, sist) proceedings for the enforcement of the certificate, on such terms as it thinks fit, for such period as appears to the court to be reasonably sufficient to enable the application to be disposed of.

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**Commencement**

Sch. 6 para. 9: January 1, 1987 (SI 1986/2044 art. 2)

**Extent**

Sch. 6 para. 9: United Kingdom

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*Cases in which registration of a certificate must or may be set aside*

Law In Force

**10.**

Where a certificate has been registered under this Schedule, the registering court—

- (a) shall set aside the registration if, on an application made by any interested party, it is satisfied that the registration was contrary to the provisions of this Schedule;
- (b) may set aside the registration if, on an application so made, it is satisfied that the matter in dispute in the proceedings in which the judgment in question was given had previously been the subject of a judgment by another court or tribunal having jurisdiction in the matter.

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**Commencement**

Sch. 6 para. 10: January 1, 1987 (SI 1986/2044 art. 2)

**Extent**

Sch. 6 para. 10(a)-(b): United Kingdom

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**SCHEDULE 7****ENFORCEMENT OF U.K. JUDGMENTS (NON-MONEY PROVISIONS)****Section 18***Preliminary* Law In Force**1.**

In this Schedule—

“judgment” means any judgment to which section 18 applies and references to the giving of a judgment shall be construed accordingly;

“non-money provision” means a provision for any relief or remedy not requiring payment of a sum of money;

“prescribed” means prescribed by rules of court.

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**Commencement**

Sch. 7 para. 1: January 1, 1987 (SI 1986/2044 art. 2)

**Extent**Sch. 7 para. 1 definition of "judgment"- definition of "prescribed": United Kingdom

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*Certified copies of judgments* Law In Force**2.—**

(1) Any interested party who wishes to secure the enforcement in another part of the United Kingdom of any non-money provisions contained in a judgment may apply for a certified copy of the judgment.

(2) The application shall be made in the prescribed manner to the proper officer of the original court, that is to say—

(a) in relation to a judgment within paragraph (a) of the definition of “judgment” in section 18(2), the court by which the judgment or order was given or made;

(b) in relation to a judgment within paragraph (b) of that definition, the court in which the judgment or order is entered;

(c) in relation to a judgment within paragraph (c) of that definition, the court in whose books the document is registered;

(d) in relation to a judgment within paragraph (d) of that definition, the tribunal by which the award for order was made;

(e) in relation to a judgment within paragraph (e) of that definition, the court which gave the judgment or made the order by virtue of which the award has become enforceable as mentioned in that paragraph.

---

**Commencement**

Sch. 7 para. 2: January 1, 1987 (SI 1986/2044 art. 2)

**Extent**

Sch. 7 para. 2(1)-(2)(e): United Kingdom

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Law In Force

**3.**

A certified copy of a judgment shall not be issued under this Schedule unless under the law of the part of the United Kingdom in which the judgment was given—

- (a) either—
  - (i) the time for bringing an appeal against the judgment has expired, no such appeal having been brought within that time; or
  - (ii) such an appeal having been brought within that time, that appeal has been finally disposed of; and
- (b) enforcement of the judgment is not for the time being stayed or suspended, and the time available for its enforcement has not expired.

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**Commencement**

Sch. 7 para. 3: January 1, 1987 (SI 1986/2044 art. 2)

**Extent**

Sch. 7 para. 3(a)-(b): United Kingdom

---

Law In Force

**4.—**

(1) Subject to paragraph 3, on an application under paragraph 2 the proper officer shall issue to the applicant—

- (a) a certified copy of the judgment (including any money provisions or excepted provisions which it may contain); and
- (b) a certificate stating that the conditions specified in paragraph 3(a) and (b) are satisfied in relation to the judgment.

(2) In sub-paragraph (1)(a) “excepted provision” means any provision of a judgment which is excepted from the application of section 18 by subsection (5) of that section.

(3) There may be issued under this Schedule (simultaneously or at different times)—

- (a) more than one certified copy of the same judgment; and
- (b) more than one certificate in respect of the same judgment.

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**Commencement**

Sch. 7 para. 4: January 1, 1987 (SI 1986/2044 art. 2)

**Extent**

Sch. 7 para. 4(1)-(3)(b): United Kingdom

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*Registration of judgments*

Law In Force

**5.—**

(1) Where a certified copy of a judgment has been issued under this Schedule in any part of the United Kingdom, any interested party may apply in the prescribed manner to the superior court in any other part of the United Kingdom for the judgment to be registered in that court.

(2) In this paragraph “superior court” means, in relation to England and Wales or Northern Ireland, the High Court and, in relation to Scotland, the Court of Session.

(3) An application under this paragraph for the registration of a judgment must be accompanied by—

- (a) a certified copy of the judgment issued under this Schedule; and
- (b) a certificate issued under paragraph 4(1)(b) in respect of the judgment not more than six months before the date of the application.

(4) Subject to sub-paragraph (5), where an application under this paragraph is duly made to a superior court, the court shall order the whole of the judgment as set out in the certified copy to be registered in that court in the prescribed manner.

(5) A judgment shall not be registered under this Schedule by the superior court in any part of the United Kingdom if compliance with the non-money provisions contained in the judgment would involve a breach of the law of that part of the United Kingdom.

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**Commencement**

Sch. 7 para. 5: January 1, 1987 (SI 1986/2044 art. 2)

**Extent**

Sch. 7 para. 5(1)-(5): United Kingdom

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*General effect of registration*

Law In Force

**6.—**

(1) The non-money provisions contained in a judgment registered under this Schedule shall, for the purposes of their enforcement, be of the same force and effect, the registering court shall have

in relation to their enforcement the same powers, and proceedings for or with respect to their enforcement may be taken, as if the judgment containing them had been originally given in the registering court and had (where relevant) been entered.

(2) Sub-paragraph (1) is subject to the following provisions of this Schedule and to any provision made by rules of court as to the manner in which and conditions subject to which the non-money provisions contained in a judgment registered under this Schedule may be enforced.

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**Commencement**

Sch. 7 para. 6: January 1, 1987 (SI 1986/2044 art. 2)

**Extent**

Sch. 7 para. 6(1)-(2): United Kingdom

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*Costs or expenses*

Law In Force

**7.—**

(1) Where a judgment is registered under this Schedule, the reasonable costs or expenses of and incidental to—

- (a) the obtaining of the certified copy of the judgment and of the necessary certificate under paragraph 4(1)(b) in respect of it; and
- (b) the registration of the judgment,

shall be recoverable as if on the date of registration there had also been registered in the registering court a certificate under Schedule 6 in respect of the judgment and as if those costs or expenses were costs or expenses stated in that certificate to be payable under a money provision contained in the judgment.

(2) All such sums as are recoverable by virtue of sub-paragraph (1) shall carry interest as if they were the subject of an order for costs or expenses made by the registering court on the date of registration of the judgment.

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**Commencement**

Sch. 7 para. 7: January 1, 1987 (SI 1986/2044 art. 2)

**Extent**

Sch. 7 para. 7(1)-(2): United Kingdom

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*Stay or sisting of enforcement in certain cases* Law In Force**8.**

Where a judgment has been registered under this Schedule, the registering court may, if it is satisfied that any person against whom it is sought to enforce the judgment is entitled and intends to apply under the law of the part of the United Kingdom in which the judgment was given for any remedy which would result in the setting aside or quashing of the judgment, stay (or, in Scotland, sist) proceedings for the enforcement of the judgment, on such terms as it thinks fit, for such period as appears to the court to be reasonably sufficient to enable the application to be disposed of.

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**Commencement**

Sch. 7 para. 8: January 1, 1987 (SI 1986/2044 art. 2)

**Extent**

Sch. 7 para. 8: United Kingdom

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*Cases in which registered judgment must or may be set aside* Law In Force**9.**

Where a judgment has been registered under this Schedule, the registering court—

- (a) shall set aside the registration if, on an application made by any interested party, it is satisfied that the registration was contrary to the provisions of this Schedule;
- (b) may set aside the registration if, on an application so made, it is satisfied that the matter in dispute in the proceedings in which the judgment was given had previously been the subject of a judgment by another court or tribunal having jurisdiction in the matter.

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**Commencement**

Sch. 7 para. 9: January 1, 1987 (SI 1986/2044 art. 2)

**Extent**

Sch. 7 para. 9(a)-(b): United Kingdom

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**SCHEDULE 8**  
**RULES AS TO JURISDICTION IN SCOTLAND**

**Section 20**

*General*

Law In Force

**[ 1.**

Subject to the following rules, persons shall be sued in the courts for the place where they are domiciled.

**] <sup>1</sup>**

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**Notes**

<sup>1</sup> Sch.8 is substituted for a new Sch.8 consisting of paras.1-9 by Civil Jurisdiction and Judgments Order 2001/3929 Sch.2(III) para.7 (March 1, 2002)

**Commencement**

Sch. 8 para. 1: January 1, 1987 (SI 1986/2044 art. 2)

**Extent**

Sch. 8 para. 1: United Kingdom

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*Special jurisdiction*

Law In Force

**[ 2.**

Subject to rules 3 (jurisdiction over consumer contracts), 4 (jurisdiction over individual contracts of employment), 5 (exclusive jurisdiction) and 6 (prorogation), a person may also be sued—

- (a) where he has no fixed residence, in a court within whose jurisdiction he is personally cited;
- (b) in matters relating to a contract, in the courts for the place of performance of the obligation in question;
- (c) in matters relating to delict or quasi-delict, in the courts for the place where the harmful event occurred or may occur;
- (d) as regards a civil claim for damages or restitution which is based on an act giving rise to criminal proceedings, in the court seised of those proceedings to the extent that the court has jurisdiction to entertain civil proceedings;
- (e) in matters relating to maintenance, in the courts for the place where the maintenance creditor is domiciled or habitually resident or, if the matter is ancillary to proceedings concerning the status of a person, in the court which has jurisdiction to entertain those proceedings, provided that an action for adherence and aliment or of affiliation and aliment

- shall be treated as a matter relating to maintenance which is not ancillary to proceedings concerning the status of a person;
- (f) as regards a dispute arising out of the operations of a branch, agency or other establishment, in the courts for the place in which the branch, agency or other establishment is situated;
  - (g) in his capacity as settlor, trustee or beneficiary of a trust domiciled in Scotland created by the operation of a statute, or by a written instrument, or created orally and evidenced in writing, in the Court of Session, or the appropriate sheriff court within the meaning of section 24A of the Trusts (Scotland) Act 1921;
  - (h) where he is not domiciled in the United Kingdom, in the courts for any place where—
    - (i) any movable property belonging to him has been arrested; or
    - (ii) any immovable property in which he has any beneficial interest is situated;
  - (i) in proceedings which are brought to assert, declare or determine proprietary or possessory rights, or rights of security, in or over movable property, or to obtain authority to dispose of movable property, in the courts for the place where the property is situated;
  - (j) in proceedings for interdict, in the courts for the place where it is alleged that the wrong is likely to be committed;
  - (k) in proceedings concerning a debt secured over immovable property, in the courts for the place where the property is situated;
  - (l) in proceedings which have as their object a decision of an organ of a company or other legal person or of an association of natural or legal persons, in the courts for the place where that company, legal person or association has its seat;
  - (m) in proceedings concerning an arbitration which is conducted in Scotland or in which the procedure is governed by Scots law, in the Court of Session;
  - (n) in proceedings principally concerned with the registration in the United Kingdom or the validity in the United Kingdom of patents, trade marks, designs or other similar rights required to be deposited or registered, in the Court of Session;
  - (o)
    - (i) where he is one of a number of defenders, in the courts for the place where any one of them is domiciled, provided the claims are so closely connected that it is expedient to hear and determine them together to avoid the risk of irreconcilable judgments resulting from separate proceedings;
    - (ii) as a third party in an action on a warranty or guarantee or in any other third party proceedings, in the court seised of the original proceedings, unless these were instituted solely with the object of removing him from the jurisdiction of the court which would be competent in his case;
    - (iii) on a counterclaim arising from the same contract or facts on which the original claim was based, in the court in which the original claim is pending;
  - (p) in matters relating to a contract, if the action may be combined with an action against the same defender in matters relating to rights *in rem* in immovable property, in the courts for the place where the property is situated;
  - (q) as regards a claim for limitation of liability arising from the use or operation of a ship, in the court having jurisdiction in the action relating to such liability.

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**Notes**

- <sup>1</sup> Sch.8 is substituted for a new Sch.8 consisting of paras.1-9 by Civil Jurisdiction and Judgments Order 2001/3929 Sch.2(III) para.7 (March 1, 2002)

**Commencement**

Sch. 8 para. 2: January 1, 1987 (SI 1986/2044 art. 2)

**Extent**

Sch. 8 para. 2(1)-(15)(c): United Kingdom

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*Jurisdiction over consumer contracts*

Law In Force

**[ 3.—**

(1) In matters relating to a contract concluded by a person, the consumer, for a purpose which can be regarded as being outside his trade or profession, subject to rule 5, jurisdiction shall be determined by this rule if—

- (a) it is a contract for the sale of goods on instalment credit terms; or
- (b) it is a contract for a loan repayable by instalments, or for any other form of credit, made to finance the sale of goods; or
- (c) in all other cases, the contract has been concluded with a person who pursues commercial or professional activities in Scotland or, by any means, directs such activities to Scotland or to several places including Scotland, and the contract falls within the scope of such activities.

(2) This rule shall not apply to a contract of transport other than a contract which, for an inclusive price, provides for a combination of travel and accommodation.

(3) A consumer may bring proceedings against the other party to a contract only in—

- (a) the courts for the place in which that party is domiciled;
- (b) the courts for the place in which he is himself domiciled; or
- (c) any court having jurisdiction by virtue of rule 2(f) or (i).

(4) Proceedings may be brought against a consumer by the other party to the contract only in the courts for the place where the consumer is domiciled or any court having jurisdiction under rule 2(i).

(5) The provisions of this rule shall not affect the right to bring a counterclaim in the court in which, in accordance with this rule, the original claim is pending.

(6) The provisions of this rule may be departed from only by an agreement—

- (a) which is entered into after the dispute has arisen; or
- (b) which allows the consumer to bring proceedings in courts other than those indicated in this rule; or
- (c) which is entered into by the consumer and the other party to the contract, both of whom are at the time of conclusion of the contract domiciled or habitually resident in the same

Regulation State, and which confers jurisdiction on the courts of that Regulation State, provided that such an agreement is not contrary to the law of that Regulation State.

] <sup>1</sup>

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**Notes**

- <sup>1</sup> Sch.8 is substituted for a new Sch.8 consisting of paras.1-9 by Civil Jurisdiction and Judgments Order 2001/3929 Sch.2(III) para.7 (March 1, 2002)

**Commencement**

Sch. 8 para. 3: January 1, 1987 (SI 1986/2044 art. 2)

**Extent**

Sch. 8 para. 3(1)-(6)(c): United Kingdom

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*[ Jurisdiction over individual contracts of employment ]* <sup>1</sup>

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**Notes**

- <sup>1</sup> Sch.8 is substituted for a new Sch.8 consisting of paras.1-9 by Civil Jurisdiction and Judgments Order 2001/3929 Sch.2(III) para.7 (March 1, 2002)
- 

Law In Force

Amendment(s) Pending

**[ 4.—**

- (1) In matters relating to individual contracts of employment, jurisdiction shall be determined by this rule, without prejudice to rule 2(f).
- (2) An employer may be sued—
- (a) in the courts for the place where he is domiciled; or
  - (b) in the courts for the place where the employee habitually carries out his work or in the courts for the last place where he did so; or
  - (c) if the employee does not or did not habitually carry out his work in any one place, in the courts for the place where the business which engaged the employee is or was situated.
- (3) An employer may bring proceedings only in the courts for the place in which the employee is domiciled.
- (4) The provisions of this rule shall not affect the right to bring a counter-claim in the court in which, in accordance with this rule, the original claim is pending.
- (5) The provisions of this rule may be departed from only by an agreement on jurisdiction—
- (a) which is entered into after the dispute has arisen; or
  - (b) which allows the employee to bring proceedings in courts other than those indicated in this rule.

] <sup>1</sup>

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**Notes**

- <sup>1</sup> Sch.8 is substituted for a new Sch.8 consisting of paras.1-9 by Civil Jurisdiction and Judgments Order 2001/3929 Sch.2(III) para.7 (March 1, 2002)

**Amendments Pending**

Sch. 8 para. 4(1)(c): words repealed by Local Government Finance Act 1992 c. 14 Sch. 14 para. 1 (date to be appointed: commencement order)

**Commencement**

Sch. 8 para. 4: January 1, 1987 (SI 1986/2044 art. 2)

**Extent**

Sch. 8 para. 4(1)-(5)(b): United Kingdom

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*[Exclusive jurisdiction]*<sup>1</sup>

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**Notes**

- <sup>1</sup> Sch.8 is substituted for a new Sch.8 consisting of paras.1-9 by Civil Jurisdiction and Judgments Order 2001/3929 Sch.2(III) para.7 (March 1, 2002)
- 

Law In Force

**[ 5.—**

(1) Notwithstanding anything contained in any of rules 1 to 4 above or 6 to 9 below but subject to paragraph (3) below, the following courts shall have exclusive jurisdiction:—

- (a) in proceedings which have as their object rights *in rem in*, or tenancies of, immovable property, the courts for the place where the property is situated;
- (b) in proceedings which have as their object the validity of the constitution, the nullity or the dissolution of companies or other legal persons or associations of natural or legal persons, the courts for the place where the company, legal person or association has its seat;
- (c) in proceedings which have as their object the validity of entries in public registers, the courts for the place where the register is kept;
- (d) in proceedings concerned with the enforcement of judgments, the courts for the place where the judgment has been or is to be enforced.

(2) No court shall exercise jurisdiction in a case where immovable property, the seat of a body mentioned in paragraph (1)(b) above, a public register or the place where a judgment has been or is to be enforced is situated outside Scotland and where paragraph (1) would apply if the property, seat, register or, as the case may be, place of enforcement were situated in Scotland.

(3) In proceedings which have as their object tenancies of immovable property concluded for temporary private use for a maximum period of six consecutive months, the courts for the place in which the defender is domiciled shall also have jurisdiction, provided that the tenant is a natural person and that the landlord and tenant are domiciled in Scotland.

] <sup>1</sup>

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**Notes**

- <sup>1</sup> Sch.8 is substituted for a new Sch.8 consisting of paras.1-9 by Civil Jurisdiction and Judgments Order 2001/3929 Sch.2(III) para.7 (March 1, 2002)

**Commencement**

Sch. 8 para. 5: January 1, 1987 (SI 1986/2044 art. 2)

**Extent**

Sch. 8 para. 5(1)-(5): United Kingdom

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Law In Force

**6.—**

[ Existing para.6 is not repealed but has been substituted as part of the amendment substituting Sch.8. ]<sup>1</sup>

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**Notes**

- <sup>1</sup> Sch.8 is substituted for a new Sch.8 consisting of paras.1-9 by Civil Jurisdiction and Judgments Order 2001/3929 Sch.2(III) para.7 (March 1, 2002)

**Commencement**

Sch. 8 para. 6: January 1, 1987 (SI 1986/2044 art. 2)

**Extent**

Sch. 8 para. 6(1)-(2): United Kingdom

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*[ Prorogation of jurisdiction ]<sup>1</sup>*

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**Notes**

- <sup>1</sup> Sch.8 is substituted for a new Sch.8 consisting of paras.1-9 by Civil Jurisdiction and Judgments Order 2001/3929 Sch.2(III) para.7 (March 1, 2002)
- 

Law In Force

**[ 6.—**

(1) If the parties have agreed that a court is to have jurisdiction to settle any disputes which have arisen or which may arise in connection with a particular legal relationship, that court shall have jurisdiction.

(2) Such an agreement conferring jurisdiction shall be either—

- (a) in writing or evidenced in writing; or
- (b) in a form which accords with practices which the parties have established between themselves; or

(c) in international trade or commerce, in a form which accords with a usage of which the parties are or ought to have been aware and which in such trade or commerce is widely known to, and regularly observed by, parties to contracts of the type involved in the particular trade or commerce concerned.

(3) Any communication by electronic means which provides a durable record of the agreement shall be equivalent to “writing”.

(4) The court on which a trust instrument has conferred jurisdiction shall have exclusive jurisdiction in any proceedings brought against a settlor, trustee or beneficiary, if relations between these persons or their rights or obligations under the trust are involved.

(5) Where an agreement or a trust instrument confers jurisdiction on the courts of the United Kingdom or of Scotland, proceedings to which paragraph (1) or, as the case may be, (4) above applies may be brought in any court in Scotland.

(6) Agreements or provisions of a trust instrument conferring jurisdiction shall have no legal force if the courts whose jurisdiction they purport to exclude have exclusive jurisdiction by virtue of rule 5 or where rule 5(2) applies.

] <sup>1</sup>

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#### Notes

<sup>1</sup> Sch.8 is substituted for a new Sch.8 consisting of paras.1-9 by Civil Jurisdiction and Judgments Order 2001/3929 Sch.2(III) para.7 (March 1, 2002)

#### Extent

Sch. 8 para. 6(1)-(6): United Kingdom

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Law In Force

[ 7.—

(1) Apart from jurisdiction derived from other provisions of this Schedule, a court before whom a defender enters an appearance shall have jurisdiction.

(2) This rule shall not apply where appearance was entered to contest jurisdiction, or where another court has exclusive jurisdiction by virtue of rule 5 or where rule 5(2) applies.

] <sup>1</sup>

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#### Notes

<sup>1</sup> Sch.8 is substituted for a new Sch.8 consisting of paras.1-9 by Civil Jurisdiction and Judgments Order 2001/3929 Sch.2(III) para.7 (March 1, 2002)

#### Commencement

Sch. 8 para. 7: January 1, 1987 (SI 1986/2044 art. 2)

#### Extent

Sch. 8 para. 7(1)-(2): United Kingdom

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Law In Force

**8.**

[ Existing para.8 is not repealed but has been substituted as part of the amendment substituting Sch.8. ]<sup>1</sup>

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**Notes**

<sup>1</sup> Sch.8 is substituted for a new Sch.8 consisting of paras.1-9 by Civil Jurisdiction and Judgments Order 2001/3929 Sch.2(III) para.7 (March 1, 2002)

**Commencement**

Sch. 8 para. 8: January 1, 1987 (SI 1986/2044 art. 2)

**Extent**

Sch. 8 para. 8: United Kingdom

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*[Examination as to jurisdiction and admissibility]*<sup>1</sup>

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**Notes**

<sup>1</sup> Sch.8 is substituted for a new Sch.8 consisting of paras.1-9 by Civil Jurisdiction and Judgments Order 2001/3929 Sch.2(III) para.7 (March 1, 2002)

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Law In Force

**[ 8.**

Where a court is seised of a claim which is principally concerned with a matter over which another court has exclusive jurisdiction by virtue of rule 5, or where it is precluded from exercising jurisdiction by rule 5(2), it shall declare of its own motion that it has no jurisdiction.

]<sup>1</sup>

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**Notes**

<sup>1</sup> Sch.8 is substituted for a new Sch.8 consisting of paras.1-9 by Civil Jurisdiction and Judgments Order 2001/3929 Sch.2(III) para.7 (March 1, 2002)

**Extent**

Sch. 8 para. 8: United Kingdom

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Law In Force

**[ 9.**

Where in any case a court has no jurisdiction which is compatible with this Schedule, and the defender does not enter an appearance, the court shall declare of its own motion that it has no jurisdiction.

]<sup>1</sup>



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**Notes**

<sup>1</sup> Sch.8 is substituted for a new Sch.8 consisting of paras.1-9 by Civil Jurisdiction and Judgments Order 2001/3929 Sch.2(III) para.7 (March 1, 2002)

**Extent**

Sch. 8 para. 9: United Kingdom

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**SCHEDULE 9**

**PROCEEDINGS EXCLUDED FROM SCHEDULE 8**

**Section 21**

Law In Force

**1.**

Proceedings concerning the status or legal capacity of natural persons (including proceedings for separation) other than proceedings which consist solely of proceedings which consist solely of proceedings[...]<sup>1</sup> of affiliation and aliment.

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**Notes**

<sup>1</sup> Words repealed by Family Law (Scotland) Act 1985 (c.37), s. 28(2), Sch. 2

**Commencement**

Sch. 9 para. 1: January 1, 1987 (SI 1986/2044 art. 2)

**Extent**

Sch. 9 para. 1: United Kingdom

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Law In Force

**2.**

Proceedings for regulating the custody of children.

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**Commencement**

Sch. 9 para. 2: January 1, 1987 (SI 1986/2044 art. 2)

**Extent**

Sch. 9 para. 2: United Kingdom

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Law In Force

**[ 2A.**

Proceedings relating to parental responsibilities within the meaning of section 1(3) of the Children (Scotland) Act 1995 or parental rights within the meaning of section 2(4) of that Act.

]<sup>1</sup>

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**Notes**

<sup>1</sup> Added by Children (Scotland) Act 1995 c. 36 Sch.4 para.31 (November 1, 1996)

**Extent**

Sch. 9 para. 2A: Scotland

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Law In Force

**3.**

Proceedings relating to [ guardianship of children ]<sup>1</sup> and all proceedings relating to the management of the affairs of persons who are incapable of managing their own affairs.

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**Notes**

<sup>1</sup> Words substituted by Age of Legal Capacity (Scotland) Act 1991 c. 50 Sch.1 para.38 (September 25, 1991: represents law in force as at date shown )

**Commencement**

Sch. 9 para. 3: January 1, 1987 (SI 1986/2044 art. 2)

**Extent**

Sch. 9 para. 3: United Kingdom

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Law In Force

**4.**

Proceedings in respect of sequestration in bankruptcy; or the winding up of a company or other legal person; or proceedings in respect of a judicial arrangement or judicial composition with creditors.

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**Commencement**

Sch. 9 para. 4: January 1, 1987 (SI 1986/2044 art. 2)

**Extent**

Sch. 9 para. 4: United Kingdom

---

Law In Force**5.**

Proceedings relating to a company where, by any enactment, jurisdiction in respect of those proceedings is conferred on the court having jurisdiction to wind it up.

**Commencement**

Sch. 9 para. 5: January 1, 1987 (SI 1986/2044 art. 2)

**Extent**

Sch. 9 para. 5: United Kingdom

 Law In Force**6.**

Admiralty causes in so far as the jurisdiction is based on arrestment *in rem* or *ad fundandam jurisdictionem* of a ship, cargo or freight. [ <sup>2</sup> ] <sup>1</sup>

**Notes**

<sup>1</sup> Word substituted by Bankruptcy and Diligence etc. (Scotland) Act 2007 asp 3 (Scottish Act) Sch.4 para.5(2) (July 10, 2010: July 1, 2010 subject to savings specified in SSI 2010/249 art.3)

<sup>2</sup> **In relation to Scotland:**

**6.**

Admiralty actions in so far as the jurisdiction is based on arrestment *in rem* or *ad fundandam jurisdictionem* of a ship, cargo or freight.

**Commencement**

Sch. 9 para. 6: January 1, 1987 (SI 1986/2044 art. 2)

**Extent**

Sch. 9 para. 6: United Kingdom

 Law In Force**7.**

Commissary proceedings.

**Commencement**

Sch. 9 para. 7: January 1, 1987 (SI 1986/2044 art. 2)

**Extent**

Sch. 9 para. 7: United Kingdom

Law In Force

**8.**

Proceedings for the rectification of the register of aircraft mortgages kept by the Civil Aviation Authority.

---

**Commencement**

Sch. 9 para. 8: January 1, 1987 (SI 1986/2044 art. 2)

**Extent**

Sch. 9 para. 8: United Kingdom

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Law In Force

**9.**

Proceedings under section 7(3) of the Civil Aviation (Eurocontrol) Act 1962 (recovery of charges for air navigation services and proceedings for damages against Eurocontrol).

---

**Commencement**

Sch. 9 para. 9: January 1, 1987 (SI 1986/2044 art. 2)

**Extent**

Sch. 9 para. 9: United Kingdom

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Law In Force

**10.**

Proceedings brought in pursuance of an order under [ section 11 of the Petroleum Act 1998 ]<sup>1</sup>.

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**Notes**

<sup>1</sup> Words substituted by Petroleum Act 1998 c. 17 Sch.4 para.17 (February 15, 1999)

**Commencement**

Sch. 9 para. 10: January 1, 1987 (SI 1986/2044 art. 2)

**Extent**

Sch. 9 para. 10: United Kingdom

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Law In Force

**11.**

Proceedings under section 6 of the Protection of Trading Interests Act 1980 (recovery of sums paid or obtained pursuant to a judgment for multiple damages).

---

**Commencement**

Sch. 9 para. 11: January 1, 1987 (SI 1986/2044 art. 2)

**Extent**

Sch. 9 para. 11: United Kingdom

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Law In Force

**12.**

Appeals from or review of decisions of tribunals.

---

**Commencement**

Sch. 9 para. 12: January 1, 1987 (SI 1986/2044 art. 2)

**Extent**

Sch. 9 para. 12: United Kingdom

---

Law In Force

**13.**

Proceedings which are not in substance proceedings in which a decree against any person is sought.

---

**Commencement**

Sch. 9 para. 13: January 1, 1987 (SI 1986/2044 art. 2)

**Extent**

Sch. 9 para. 13: United Kingdom

---

Law In Force

**14.**

Proceedings brought in any court in pursuance of—

- (a) any statutory provision which, in the case of any convention to which Article 57 [ , or Article 71 of the Regulation, ]<sup>1</sup> applies (conventions relating to specific matters which override the general rules [...]<sup>2</sup>), implements the convention; and
  - (b) any rule of law so far as it has the effect of implementing any such convention.
- 

**Notes**

<sup>1</sup> Words inserted by Civil Jurisdiction and Judgments Order 2001/3929 Sch.2(III) para.8(a) (March 1, 2002)

<sup>2</sup> Words repealed by Civil Jurisdiction and Judgments Order 2001/3929 Sch.2(III) para.8(b) (March 1, 2002)

**Commencement**

Sch. 9 para. 14: January 1, 1987 (SI 1986/2044 art. 2)

**Extent**

Sch. 9 para. 14(a)-(b): United Kingdom

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**SCHEDULE 10**

Law In Force

**1.**

(2) [...] <sup>1</sup>

(3) [...] <sup>2</sup>

---

**Notes**

<sup>1</sup> Substitutes new s. 1(1)(2)(2A) for s. 1(1)(2) in Foreign Judgments (Reciprocal Enforcement) Act 1933 (c. 13)

<sup>2</sup> Adds Foreign Judgments (Reciprocal Enforcement) Act 1933 (c. 13), s. 1(5)

**Commencement**

Sch. 10 para. 1: January 1, 1987 but November 14, 1986 as specified in SI 1986/1781 art.2 (SI 1986/1781 art. 2; SI 1986/2044 art. 2)

**Extent**

Sch. 10 para. 1(2)-(3): United Kingdom

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Law In Force

**2. [...] <sup>1</sup>**

---

**Notes**

<sup>1</sup> Amends Foreign Judgments (Reciprocal Enforcement) Act 1933 (c. 13), s. 9(1)

**Commencement**

Sch. 10 para. 2: January 1, 1987 but November 14, 1986 as specified in SI 1986/1781 art.2 (SI 1986/1781 art. 2; SI 1986/2044 art. 2)

**Extent**

Sch. 10 para. 2: United Kingdom

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Law In Force

**3. [...] <sup>1</sup>**

---

**Notes**

<sup>1</sup> Substitutes Foreign Judgments (Reciprocal Enforcement) Act 1933 (c. 13), new s. 10

**Commencement**

Sch. 10 para. 3: January 1, 1987 but November 14, 1986 as specified in SI 1986/1781 art.2 (SI 1986/1781 art. 2; SI 1986/2044 art. 2)

**Extent**

Sch. 10 para. 3: United Kingdom

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Law In Force

**4. [...]¹**

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**Notes**

¹ Inserts Foreign Judgments (Reciprocal Enforcement) Act 1933 (c. 13), s. 10A

**Commencement**

Sch. 10 para. 4: January 1, 1987 but November 14, 1986 as specified in SI 1986/1781 art.2 (SI 1986/1781 art. 2; SI 1986/2044 art. 2)

**Extent**

Sch. 10 para. 4: United Kingdom

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Law In Force

**5.**

(1) [...]¹

(2) [...]¹

(3) [...]¹

---

**Notes**

¹ Amends Foreign Judgments (Reciprocal Enforcement) Act 1933 (c. 13), s. 11(1)

**Commencement**

Sch. 10 para. 5: January 1, 1987 but November 14, 1986 as specified in SI 1986/1781 art.2 (SI 1986/1781 art. 2; SI 1986/2044 art. 2)

**Extent**

Sch. 10 para. 5(1)-(3): United Kingdom

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**SCHEDULE 11**

**PART I**

Law In Force

**1. [...]¹**

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**Notes**

¹ Amends Maintenance Orders Act 1950 (c. 37), s. 18(3A)

**Commencement**

Sch. 11(I) para. 1: January 1, 1987 (SI 1986/2044 art. 2)

**Extent**

Sch. 11(I) para. 1: United Kingdom

---

Law In Force

**2.**

(1) [...] <sup>1</sup>

(2) [...] <sup>1</sup>

(3) [...] <sup>2</sup>

---

**Notes**

<sup>1</sup> Amends Maintenance Orders Act 1958 (c. 39), s. 2(3)

<sup>2</sup> Inserts Maintenance Orders Act 1958 (c. 39), s. 2(3A)(3B)

**Commencement**

Sch. 11(I) para. 2: January 1, 1987 (SI 1986/2044 art. 2)

**Extent**

Sch. 11(I) para. 2(1)-(3): United Kingdom

---

Law In Force

**3.**

(1) [...] <sup>1</sup>

(2) [...] <sup>1</sup>

(3) [...] <sup>2</sup>

---

**Notes**

<sup>1</sup> Amends Maintenance and Affiliation Orders Act (Northern Ireland) 1966 (c. 35) (N.I.), s. 11(3)

<sup>2</sup> Inserts Maintenance and Affiliation Orders Act (Northern Ireland) 1966 (c. 35) (N.I.), s. 11(3A)(3B)

**Commencement**

Sch. 11(I) para. 3: January 1, 1987 (SI 1986/2044 art. 2)

**Extent**

Sch. 11(I) para. 3(1)-(3): United Kingdom

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Law In Force

**4.**

(1) [...] <sup>1</sup>

(2) [...] <sup>2</sup>

---

**Notes**

<sup>1</sup> Inserts s. 9(1A) in MaintenanceOrders (Reciprocal Enforcement) Act 1972 (c. 18)

<sup>2</sup> Amends Maintenance Orders (Reciprocal Enforcement) Act 1972 (c. 18), s. 21(1)(2)

**Commencement**

Sch. 11(I) para. 4: January 1, 1987 (SI 1986/2044 art. 2)

**Extent**

Sch. 11(I) para. 4(1)-(2): United Kingdom

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**PART II**

Law In Force

**5. [...] <sup>1</sup>**

---

**Notes**

<sup>1</sup> Inserts s. 18(1A)(1B) in Maintenance Orders Act 1950 (c. 37)

**Commencement**

Sch. 11(II) para. 5: January 1, 1987 (SI 1986/2044 art. 2)

**Extent**

Sch. 11(II) para. 5: United Kingdom

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Law In Force

**6.**

(1) [...] <sup>1</sup>

(2) [...] <sup>1</sup>

(3) [...] <sup>2</sup>

---

**Notes**

<sup>1</sup> Inserts s. 2A in MaintenanceOrders Act 1958 (c. 39)

<sup>2</sup> Amends Maintenance Orders Act 1958 (c. 39), s. 3(1)

**Commencement**

Sch. 11(II) para. 6: January 1, 1987 (SI 1986/2044 art. 2)

**Extent**

Sch. 11(II) para. 6(1)-(3): United Kingdom

 Law In Force**7.**(1) [...] <sup>1</sup>(2) [...] <sup>1</sup>(3) [...] <sup>2</sup>(4) [...] <sup>3</sup>**Notes**<sup>1</sup> Inserts s. 11A in Maintenance and Affiliation Orders Act (Northern Ireland) 1966 (c. 35) (N.I.)<sup>2</sup> Amends Maintenance and Affiliation Orders Act (Northern Ireland) 1966 (c. 35) (N.I.), s. 12(1)<sup>3</sup> Amends Maintenance and Affiliation Orders Act (Northern Ireland) 1966 (c. 35) (N.I.), s. 16(2)**Commencement**

Sch. 11(II) para. 7: January 1, 1987 (SI 1986/2044 art. 2)

**Extent**

Sch. 11(II) para. 7(1)-(4): United Kingdom

**PART III** Repealed**8. [...] <sup>1</sup>****Notes**<sup>1</sup> Amended Maintenance Orders (Reciprocal Enforcement) Act 1972 (c. 18), s. 2(1)(4) Repealed**9. [...] <sup>1</sup>****Notes**<sup>1</sup> Amended Maintenance Orders (Reciprocal Enforcement) Act 1972 (c. 18), s. 2(1)(4) Repealed**10. [...] <sup>1</sup>****Notes**<sup>1</sup> Amend Maintenance Orders (Reciprocal Enforcement) Act 1972 (c. 18), s. 6(2)(4)

Repealed

## 11. [...]¹

---

### Notes

¹ Amend Maintenance Orders (Reciprocal Enforcement) Act 1972 (c. 18), s. 8(5)

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Repealed

## 12. [...]¹

---

### Notes

¹ Insert Maintenance Orders (Reciprocal Enforcement) Act 1972 (c. 18), s. 9(1B)

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Law In Force

## 13.

(1) [...]¹

(2) [...]¹

(3) [...]²

(4) [...]³

(5) [...]⁴

(6) [...]⁵

---

### Notes

¹ Amend Maintenance Orders (Reciprocal Enforcement) Act 1972 (c. 18), s. 10(2)

² Amend Maintenance Orders (Reciprocal Enforcement) Act 1972 (c. 18), s. 10(3)

³ Amend Maintenance Orders (Reciprocal Enforcement) Act 1972 (c. 18), s. 10(5)

⁴ Amend Maintenance Orders (Reciprocal Enforcement) Act 1972 (c. 18), s. 10(6)

⁵ Amend Maintenance Orders (Reciprocal Enforcement) Act 1972 (c. 18), s. 10(7)(b)

### Commencement

Sch. 11(III) para. 13: January 1, 1987 (SI 1986/2044 art. 2)

### Extent

Sch. 11(III) para. 13(1)-(6): United Kingdom

---

Repealed

## 14. [...]¹

---

### Notes

¹ Amend Maintenance Orders (Reciprocal Enforcement) Act 1972 (c. 18), s. 11(1)

---

Repealed

## 15. [...]¹

---

### Notes

¹ Amend Maintenance Orders (Reciprocal Enforcement) Act 1972 (c. 18), s. 21(1)

---

Repealed

## 16. [...]¹

---

### Notes

¹ Amend Maintenance Orders (Reciprocal Enforcement) Act 1972 (c. 18), s. 24(a)(i)(ii)

---

Repealed

## 17. [...]¹

---

### Notes

¹ Amend Maintenance Orders (Reciprocal Enforcement) Act 1972 (c. 18), s. 40(a)(b)

---

Repealed

## 18. [...]¹

---

### Notes

¹ Amend Maintenance Orders (Reciprocal Enforcement) Act 1972 (c. 18), s. 47(3)

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## SCHEDULE 12

### PART I

Law In Force

## 1. [...]¹

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### Notes

¹ Amends Army Act 1955 (c. 18), s. 150(5) and Air Force Act 1955 (c. 19), s. 150(5)

### Commencement

Sch. 12(I) para. 1: January 1, 1987 (SI 1986/2044 art. 2)

### Extent

Sch. 12(I) para. 1: United Kingdom

---

Law In Force

## 2. [...]¹

---

**Notes**

<sup>1</sup> Amends Naval Discipline Act 1957 (c. 53), s. 101(5)

**Commencement**

Sch. 12(I) para. 2: January 1, 1987 (SI 1986/2044 art. 2)

**Extent**

Sch. 12(I) para. 2: United Kingdom

---

Law In Force

**3. [...] <sup>1</sup>**

---

**Notes**

<sup>1</sup> Amends Maintenance Orders Act 1958 (c. 39), s. 1(4)

**Commencement**

Sch. 12(I) para. 3: January 1, 1987 (SI 1986/2044 art. 2)

**Extent**

Sch. 12(I) para. 3: United Kingdom

---

Law In Force

**4. [...] <sup>1</sup>**

---

**Notes**

<sup>1</sup> Amends Maintenance and Affiliation Orders Act (Northern Ireland) 1966 (c. 35), s. 10(2)(5)

**Commencement**

Sch. 12(I) para. 4: January 1, 1987 (SI 1986/2044 art. 2)

**Extent**

Sch. 12(I) para. 4: United Kingdom

---

Law In Force

**5. [...] <sup>1</sup>**

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**Notes**

<sup>1</sup> Inserts para. 13 in Administration of Justice Act 1970 (c. 31), Sch. 8

**Commencement**

Sch. 12(I) para. 5: January 1, 1987 (SI 1986/2044 art. 2)

**Extent**

Sch. 12(I) para. 5: United Kingdom

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Law In Force

**6. [...]¹**

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**Notes**

¹ Inserts para. 13 in Attachment of Earnings Act 1971 (c. 32), Sch. 1

**Commencement**

Sch. 12(I) para. 6: January 1, 1987 (SI 1986/2044 art. 2)

**Extent**

Sch. 12(I) para. 6: United Kingdom

---

Law In Force

**7.**

- (a) [...]¹
  - (b) [...]²
- 

**Notes**

¹ Inserts s. 65(1)(m) in Magistrates' Courts Act 1980 (c. 43)

² Amends Magistrates' Courts Act 1980 (c. 43), s. 65(2)(a)

**Commencement**

Sch. 12(I) para. 7: January 1, 1987 (SI 1986/2044 art. 2)

**Extent**

Sch. 12(I) para. 7(a)-(b): United Kingdom

---

Law In Force

**8.**

- (1) [...]¹
  - (2) [...]²
- 

**Notes**

¹ Amends S.I. 1981/1675 (N.I. 26), art. 88(a)

² Amends S.I. 1981/1675 (N.I. 26), art. 98(11)(b)

**Commencement**

Sch. 12(I) para. 8: January 1, 1987 (SI 1986/2044 art. 2)

**Extent**

Sch. 12(I) para. 8(1)-(2): United Kingdom

---

**PART II**

Law In Force

**1. [...]¹**

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**Notes**

¹ Inserts s. 4(3) in Law Reform (Miscellaneous Provisions) (Scotland) Act 1940 (c. 42)

**Commencement**

Sch. 12(II) para. 1: January 1, 1987 (SI 1986/2044 art. 2)

**Extent**

Sch. 12(II) para. 1: United Kingdom

---

Law In Force

**2. [...]¹**

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**Notes**

¹ Amends Maintenance Orders Act 1950 (c. 37), s. 15(1)(b)

**Commencement**

Sch. 12(II) para. 2: January 1, 1987 (SI 1986/2044 art. 2)

**Extent**

Sch. 12(II) para. 2: United Kingdom

---

Law In Force

**3.**

(1) [...]¹

(2) [...]²

---

**Notes**

¹ Substitutes new s. 4(1) for s. 4(1)(2) in Maintenance Orders (Reciprocal Enforcement) Act 1972 (c. 18)

² Amends Maintenance Orders (Reciprocal Enforcement) Act 1972 (c. 18), s. 4(3)\u2013(5)

**Commencement**

Sch. 12(II) para. 3: January 1, 1987 (SI 1986/2044 art. 2)

**Extent**

Sch. 12(II) para. 3(1)-(2): United Kingdom

---

Law In Force

**4. [...]¹**

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**Notes**

¹ Substitutes new s. 141(3)(3A)(3B) for s. 141(3) in Consumer Credit Act 1974 (c. 39)

**Commencement**

Sch. 12(II) para. 4: January 1, 1987 (SI 1986/2044 art. 2)

**Extent**

Sch. 12(II) para. 4: United Kingdom

---

**PART III**

Law In Force

**1.**

(1) [...]¹

(2) [...]¹

(3)

(a) [...]²

(b) [...]³

(c) [...]⁴

(4) [...]⁵

---

**Notes**

¹ Inserts s. 18(3B) in Maintenance Orders Act 1950 (c. 37)

² Amends Maintenance Orders Act 1950 (c. 37), s. 21(2)(a)

³ Amends Maintenance Orders Act 1950 (c. 37), s. 21(2)(b)

⁴ Inserts Maintenance Orders Act 1950 (c. 37), s. 21(2)(c)

⁵ Amends Maintenance Orders Act 1950 (c. 37), s. 24(3)

**Commencement**

Sch. 12(III) para. 1: January 1, 1987 (SI 1986/2044 art. 2)

**Extent**

Sch. 12(III) para. 1(1)-(4): United Kingdom

---



Law In Force

## 2. [...]¹

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### Notes

¹ Amends Maintenance Orders Act 1958 (c. 39), s. 23(2)

### Commencement

Sch. 12(III) para. 2: January 1, 1987 (SI 1986/2044 art. 2)

### Extent

Sch. 12(III) para. 2: United Kingdom

---

Law In Force

## 3

(1) [...]¹

(2) [...]¹

(3) [...]²

(4) [...]³

---

### Notes

¹ Amends Maintenance and Affiliation Orders Act (Northern Ireland) 1966 (c. 35) (N.I.), s. 9

² Inserts Maintenance and Affiliation Orders Act (Northern Ireland) 1966 (c. 35) (N.I.), s. 10(1A)

³ Inserts Maintenance and Affiliation Orders Act (Northern Ireland) 1966 (c. 35) (N.I.), s. 13(7A)

### Commencement

Sch. 12(III) para. 3: January 1, 1987 (SI 1986/2044 art. 2)

### Extent

Sch. 12(III) para. 3(1)-(4): United Kingdom

---

Law In Force

## 4. [...]¹

---

### Notes

¹ Amends S.I. 1981/266 (N.I. 6), art. 98(a)(iv)

### Commencement

Sch. 12(III) para. 4: January 1, 1987 (SI 1986/2044 art. 2)

### Extent

Sch. 12(III) para. 4: United Kingdom

---

Law In Force**5.**

(1)

(a) [...] <sup>1</sup>(b) [...] <sup>2</sup>(2) [...] <sup>3</sup>

---

**Notes**<sup>1</sup> Amends S.I. 1981/1675 (N.I. 26), art. 88(a)<sup>2</sup> Inserts S.I. 1981/1675 (N.I. 26), art. 88(aa)<sup>3</sup> Amends S.I. 1981/1675 (N.I. 26), art. 98(11)(d)**Commencement**

Sch. 12(III) para. 5: January 1, 1987 (SI 1986/2044 art. 2)

**Extent**Sch. 12(III) para. 5(1)-(2): United Kingdom

---

**SCHEDULE 13****COMMENCEMENT, TRANSITIONAL PROVISIONS AND SAVINGS****Section 53****PART I****COMMENCEMENT***Provisions coming into force on Royal Assent* Law In Force**1.**

The following provisions come into force on Royal Assent:

**Provision**

section 53(1) and Part I of this Schedule.

section 55

**Subject-matter**

Commencement.

Short title.

**Commencement**

Sch. 13(I) para. 1: January 1, 1987 July 13, 1982 in relation to 1982 c.27 Sch.13 Pt I; August 24, 1982 for provisions specified in 1982 c.27 Sch.13 Pt I para.2; November 1, 1984 for the provision specified in SI 1984/1553 art.2; January 1, 1987 otherwise (SI 1984/1553 art. 2; SI 1986/1781 art. 2; SI 1986/2044 art. 2; 1982 c. 27 Pt V s. 53(1))

**Extent**

Sch. 13(I) para. 1: United Kingdom

*Provisions coming into force six weeks after Royal Assent*

Law In Force

**2.**

The following provisions come into force at the end of the period of six weeks beginning with the day on which this Act is passed:

<b>Provision</b>	<b>Subject-matter</b>
section 24(1)(a), (2)(a) and (3).	Interim relief and protective measures in cases of doubtful jurisdiction.
section 29	Service of county court process outside Northern Ireland.
section 30	Proceedings in England and Wales or Northern Ireland for torts to immovable property.
section 31	Overseas judgments given against states.
section 32	Overseas judgments given in breach of agreement for settlement of disputes.
section 33	Certain steps not to amount to submission to jurisdiction of overseas court.
section 34	Certain judgments a bar to further proceedings on the same cause of action.
section 35(3)	Consolidation of Orders in Council under section 14 of the Administration of Justice Act 1920.
section 38	Overseas judgments counteracting an award of multiple damages.
section 40	Power to modify enactments relating to legal aid, etc.
section 49	Saving for powers to stay, sist, strike out or dismiss proceedings.
section 50	Interpretation: general.
section 51	Application to Crown.
section 52	Extent.
paragraphs 7 to 10 of Part II of this Schedule and section 53(2) so far as relates to those paragraphs.	Transitional provisions and savings.
section 54 and Schedule 14 so far as relating to the repeal of provisions in section 4 of the Foreign Judgments (Reciprocal Enforcement) Act 1933.	Repeals consequential on sections 32 and 33.

---

**Commencement**

Sch. 13(I) para. 2: January 1, 1987 July 13, 1982 in relation to 1982 c.27 Sch.13 Pt I; August 24, 1982 for provisions specified in 1982 c.27 Sch.13 Pt I para.2; November 1, 1984 for the provision specified in SI 1984/1553 art.2; January 1, 1987 otherwise (SI 1984/1553 art. 2; SI 1986/1781 art. 2; SI 1986/2044 art. 2; 1982 c. 27 Pt V s. 53(1))

**Extent**

Sch. 13(I) para. 2: United Kingdom

---

*Provisions coming into force on a day to be appointed*

Law In Force

**3.—**

(1) The other provisions of this Act come into force on such day as the Lord Chancellor and the Lord Advocate may appoint by order made by statutory instrument.

(2) Different days may be appointed under this paragraph for different purposes.

---

**Notes**

<sup>1</sup> Power of appointment conferred by Sch. 13 Part I para. 3(1) fully exercised; S.I. 1984/1553, 1986/1781, 2044

**Commencement**

Sch. 13(I) para. 3: January 1, 1987 July 13, 1982 in relation to 1982 c.27 Sch.13 Pt I; August 24, 1982 for provisions specified in 1982 c.27 Sch.13 Pt I para.2; November 1, 1984 for the provision specified in SI 1984/1553 art.2; January 1, 1987 otherwise (SI 1984/1553 art. 2; SI 1986/1781 art. 2; SI 1986/2044 art. 2; 1982 c. 27 Pt V s. 53(1))

**Extent**

Sch. 13(I) para. 3(1)-(2): United Kingdom

---

**PART II****TRANSITIONAL PROVISIONS AND SAVINGS**

*Section 16 and Schedule 4*

Law In Force

**1.—**

(1) Section 16 and Schedule 4 shall not apply to any proceedings begun before the commencement of that section.

(2) Nothing in section 16 or Schedule 4 shall preclude the bringing of proceedings in any part of the United Kingdom in connection with a dispute concerning a contract if the parties to the dispute

had agreed before the commencement of that section that the contract was to be governed by the law of that part of the United Kingdom.

---

**Commencement**

Sch. 13(II) para. 1: January 1, 1987 July 13, 1982 in relation to 1982 c.27 Sch.13 Pt I; August 24, 1982 for provisions specified in 1982 c.27 Sch.13 Pt I para.2; November 1, 1984 for the provision specified in SI 1984/1553 art.2; January 1, 1987 otherwise (SI 1984/1553 art. 2; SI 1986/1781 art. 2; SI 1986/2044 art. 2; 1982 c. 27 Pt V s. 53(1))

**Extent**

Sch. 13(II) para. 1(1)-(2): United Kingdom

---

*Section 18 and Schedule 6 and associated repeals*

Law In Force

**2.—**

(1) In relation to a judgment a certificate where of has been registered under the 1868 Act or the 1882 Act before the repeal of that Act by this Act, the 1868 Act or, as the case may be, the 1882 Act shall continue to have effect notwithstanding its repeal.

(2) Where by virtue of sub-paragraph (1) the 1882 Act continues to have effect in relation to an order to which section 47 of the Fair Employment (Northern Ireland) Act 1976 (damages etc. for unfair discrimination) applies, that section shall continue to have effect in relation to that order notwithstanding the repeal of that section by this Act.

(3) A certificate issued under Schedule 6 shall not be registered under that Schedule in a part of the United Kingdom if the judgment to which that certificate relates is the subject of a certificate registered in that part under the 1868 Act or the 1882 Act.

(4) In this paragraph—

“the 1868 Act” means the Judgments Extension Act 1868;

“the 1882 Act” means the Inferior Courts Judgments Extension Act 1882;

“judgment” has the same meaning as in section 18.

---

**Commencement**

Sch. 13(II) para. 2: January 1, 1987 July 13, 1982 in relation to 1982 c.27 Sch.13 Pt I; August 24, 1982 for provisions specified in 1982 c.27 Sch.13 Pt I para.2; November 1, 1984 for the provision specified in SI 1984/1553 art.2; January 1, 1987 otherwise (SI 1984/1553 art. 2; SI 1986/1781 art. 2; SI 1986/2044 art. 2; 1982 c. 27 Pt V s. 53(1))

**Extent**

Sch. 13(II) para. 2(1)-(4) definition of "judgment": United Kingdom

---

### *Section 18 and Schedule 7*

Law In Force

#### **3.**

Schedule 7 and, so far as it relates to that Schedule, section 18 shall not apply to judgments given before the coming into force of that section.

---

#### **Commencement**

Sch. 13(II) para. 3: January 1, 1987 July 13, 1982 in relation to 1982 c.27 Sch.13 Pt I; August 24, 1982 for provisions specified in 1982 c.27 Sch.13 Pt I para.2; November 1, 1984 for the provision specified in SI 1984/1553 art.2; January 1, 1987 otherwise (SI 1984/1553 art. 2; SI 1986/1781 art. 2; SI 1986/2044 art. 2; 1982 c. 27 Pt V s. 53(1))

#### **Extent**

Sch. 13(II) para. 3: United Kingdom

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### *Section 19*

Law In Force

#### **4.**

Section 19 shall not apply to judgments given before the commencement of that section.

---

#### **Commencement**

Sch. 13(II) para. 4: January 1, 1987 July 13, 1982 in relation to 1982 c.27 Sch.13 Pt I; August 24, 1982 for provisions specified in 1982 c.27 Sch.13 Pt I para.2; November 1, 1984 for the provision specified in SI 1984/1553 art.2; January 1, 1987 otherwise (SI 1984/1553 art. 2; SI 1986/1781 art. 2; SI 1986/2044 art. 2; 1982 c. 27 Pt V s. 53(1))

#### **Extent**

Sch. 13(II) para. 4: United Kingdom

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### *Section 20 and Schedule 8*

Law In Force

#### **5.**

Section 20 and Schedule 8 shall not apply to any proceedings begun before the commencement of that section.

---

**Commencement**

Sch. 13(II) para. 5: January 1, 1987 July 13, 1982 in relation to 1982 c.27 Sch.13 Pt I; August 24, 1982 for provisions specified in 1982 c.27 Sch.13 Pt I para.2; November 1, 1984 for the provision specified in SI 1984/1553 art.2; January 1, 1987 otherwise (SI 1984/1553 art. 2; SI 1986/1781 art. 2; SI 1986/2044 art. 2; 1982 c. 27 Pt V s. 53(1))

**Extent**

Sch. 13(II) para. 5: United Kingdom

---

*Section 26*

Law In Force

**6.**

The power conferred by section 26 shall not be exercisable in relation to property arrested before the commencement of that section or in relation to bail or other security given—

- (a) before the commencement of that section to prevent the arrest of property; or
- (b) to obtain the release of property arrested before the commencement of that section; or
- (c) in substitution (whether directly or indirectly) for security given as mentioned in sub-paragraph (a) or (b).

---

**Commencement**

Sch. 13(II) para. 6: January 1, 1987 July 13, 1982 in relation to 1982 c.27 Sch.13 Pt I; August 24, 1982 for provisions specified in 1982 c.27 Sch.13 Pt I para.2; November 1, 1984 for the provision specified in SI 1984/1553 art.2; January 1, 1987 otherwise (SI 1984/1553 art. 2; SI 1986/1781 art. 2; SI 1986/2044 art. 2; 1982 c. 27 Pt V s. 53(1))

**Extent**

Sch. 13(II) para. 6(a)-(c): United Kingdom

---

*Section 31*

Law In Force

**7.**

Section 31 shall not apply to any judgment—

- (a) which has been registered under Part II of the Administration of Justice Act 1920 or Part I of the Foreign Judgments (Reciprocal Enforcement) Act 1933 before the time when that section comes into force; or
- (b) in respect of which proceedings at common law for its enforcement have been finally determined before that time.

---

**Commencement**

Sch. 13(II) para. 7: January 1, 1987 July 13, 1982 in relation to 1982 c.27 Sch.13 Pt I; August 24, 1982 for provisions specified in 1982 c.27 Sch.13 Pt I para.2; November 1, 1984 for the provision specified in SI 1984/1553 art.2; January 1, 1987 otherwise (SI 1984/1553 art. 2; SI 1986/1781 art. 2; SI 1986/2044 art. 2; 1982 c. 27 Pt V s. 53(1))

**Extent**

Sch. 13(II) para. 7(a)-(b): United Kingdom

---

*Section 32 and associated repeal*

Law In Force

**8.—**

(1) Section 32 shall not apply to any judgment—

- (a) which has been registered under Part II of the Administration of Justice Act 1920, Part I of the Foreign Judgments (Reciprocal Enforcement) Act 1933 or Part I of the Maintenance Orders (Reciprocal Enforcement) Act 1972 before the time when that section comes into force; or
- (b) in respect of which proceedings at common law for its enforcement have been finally determined before that time.

(2) Section 4(3)(b) of the Foreign Judgments (Reciprocal Enforcement) Act 1933 shall continue to have effect, notwithstanding its repeal by this Act, in relation to a judgment registered under Part I of that Act before the commencement of section 32.

---

**Commencement**

Sch. 13(II) para. 8: January 1, 1987 July 13, 1982 in relation to 1982 c.27 Sch.13 Pt I; August 24, 1982 for provisions specified in 1982 c.27 Sch.13 Pt I para.2; November 1, 1984 for the provision specified in SI 1984/1553 art.2; January 1, 1987 otherwise (SI 1984/1553 art. 2; SI 1986/1781 art. 2; SI 1986/2044 art. 2; 1982 c. 27 Pt V s. 53(1))

**Extent**

Sch. 13(II) para. 8(1)-(2): United Kingdom

---

*Section 33 and associated repeal*

Law In Force

**9.—**

(1) Section 33 shall not apply to any judgment—

- (a) which has been registered under Part II of the Administration of Justice Act 1920 or Part I of the Foreign Judgments (Reciprocal Enforcement) Act 1933 before the time when that section comes into force; or
- (b) in respect of which proceedings at common law for its enforcement have been finally determined before that time.



(2) The repeal by this Act of words in section 4(2)(a)(i) of the Foreign Judgments (Reciprocal Enforcement) Act 1933 shall not affect the operation of that provision in relation to a judgment registered under Part I of that Act before the commencement of section 33.

---

**Commencement**

Sch. 13(II) para. 9: January 1, 1987 July 13, 1982 in relation to 1982 c.27 Sch.13 Pt I; August 24, 1982 for provisions specified in 1982 c.27 Sch.13 Pt I para.2; November 1, 1984 for the provision specified in SI 1984/1553 art.2; January 1, 1987 otherwise (SI 1984/1553 art. 2; SI 1986/1781 art. 2; SI 1986/2044 art. 2; 1982 c. 27 Pt V s. 53(1))

**Extent**

Sch. 13(II) para. 9(1)-(2): United Kingdom

---

### *Section 34*

Law In Force

**10.**

Section 34 shall not apply to judgments given before the commencement of that section.

---

**Commencement**

Sch. 13(II) para. 10: January 1, 1987 July 13, 1982 in relation to 1982 c.27 Sch.13 Pt I; August 24, 1982 for provisions specified in 1982 c.27 Sch.13 Pt I para.2; November 1, 1984 for the provision specified in SI 1984/1553 art.2; January 1, 1987 otherwise (SI 1984/1553 art. 2; SI 1986/1781 art. 2; SI 1986/2044 art. 2; 1982 c. 27 Pt V s. 53(1))

**Extent**

Sch. 13(II) para. 10: United Kingdom

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## **SCHEDULE 14 [...]<sup>1</sup>**

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**Notes**

<sup>1</sup> Specifies enactments repealed by s. 54

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### Modifications

<b>Whole Document</b>	Civil Jurisdiction and Judgments Act 1991 c. 12, s. 3 Reciprocal Enforcement of Foreign Judgments (Canada) (Amendment) Order 1995/2708, Preamble
<b>Pt I s. 4</b>	Civil Jurisdiction and Judgments (Authentic Instruments and Court Settlements) Order 1993/604, art. 2(1)
<b>Pt I s. 4A(2)</b>	Civil Jurisdiction and Judgments Regulations 2009/3131, reg. 47(3)
<b>Pt I s. 5</b>	Civil Jurisdiction and Judgments (Authentic Instruments and Court Settlements) Order 1993/604, art. 3(1)
<b>Pt I s. 5A(4)</b>	Civil Jurisdiction and Judgments Regulations 2009/3131, reg. 47(4)
<b>Pt I s. 6(1)</b>	Civil Jurisdiction and Judgments (Authentic Instruments and Court Settlements) Order 1993/604, art. 2(1)
<b>Pt I s. 6(2)</b>	Civil Jurisdiction and Judgments (Authentic Instruments and Court Settlements) Order 1993/604, art. 2(1)
<b>Pt I s. 6(3)</b>	Civil Jurisdiction and Judgments (Authentic Instruments and Court Settlements) Order 1993/604, art. 3(1)
<b>Pt I s. 7(1)</b>	Civil Jurisdiction and Judgments (Authentic Instruments and Court Settlements) Order 1993/604, art. 2(1) Civil Jurisdiction and Judgments (Authentic Instruments and Court Settlements) Order 1993/604, art. 3(1)
<b>Pt I s. 7(2)</b>	Civil Jurisdiction and Judgments (Authentic Instruments and Court Settlements) Order 1993/604, art. 2(1) Civil Jurisdiction and Judgments (Authentic Instruments and Court Settlements) Order 1993/604, art. 3(1)
<b>Pt I s. 7(3)</b>	Civil Jurisdiction and Judgments (Authentic Instruments and Court Settlements) Order 1993/604, art. 2(1)
<b>Pt I s. 7(4)</b>	Civil Jurisdiction and Judgments (Authentic Instruments and Court Settlements) Order 1993/604, art. 3(1)
<b>Pt I s. 7(5)</b>	Civil Jurisdiction and Judgments (Authentic Instruments and Court Settlements) Order 1993/604, art. 2(1) Civil Jurisdiction and Judgments (Authentic Instruments and Court Settlements) Order 1993/604, art. 3(1)
<b>Pt I s. 8</b>	Civil Jurisdiction and Judgments (Authentic Instruments and Court Settlements) Order 1993/604, art. 3(1)
<b>Pt I s. 11</b>	Civil Jurisdiction and Judgments (Authentic Instruments and Court Settlements) Order 1993/604, art. 4(1)
<b>Pt I s. 11A</b>	Civil Jurisdiction and Judgments Regulations 2009/3131, reg. 47(5) Civil Jurisdiction and Judgments Regulations 2009/3131, reg. 47(6)
<b>Pt I s. 15(2)</b>	Civil Jurisdiction and Judgments (Authentic Instruments and Court Settlements) Order 1993/604, art. 6
<b>Pt I s. 15(3)</b>	Civil Jurisdiction and Judgments (Authentic Instruments and Court Settlements) Order 1993/604, art. 6
<b>Pt II s. 18</b>	Drug Trafficking Act 1994 (Enforcement of Northern Ireland Confiscation Orders) Order 1995/1967, art. 2(2)
<b>Pt V s. 48</b>	Civil Jurisdiction and Judgments (Authentic Instruments and Court Settlements) Order 1993/604, art. 8 Civil Jurisdiction and Judgments (Authentic Instruments and Court Settlements) Order 2001/3928, art. 4

<b>Sch. 4</b>	Housing (Scotland) Act 2006 (Consequential Provisions) Order 2008/1889, art. 4(3)
<b>Sch. 5 para. 10</b>	Financial Services and Markets Act 2000 (Consequential and Transitional Provisions) (Miscellaneous) (No. 2) Order 2001/2659, art. 8
<b>Sch. 8</b>	Housing (Scotland) Act 2006 (Consequential Provisions) Order 2008/1889, art. 5(3)

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