
EXPLANATORY NOTE

(This note is not part of the Order)

Part I of this Order amends the Civil Jurisdiction and Judgments Act 1982 in consequence of a revision of the 1968 Convention on Jurisdiction and the Enforcement of Judgments in Civil and Commercial Matters (“the Brussels Convention”) and the 1971 Protocol on the Interpretation of the Convention by the Court of Justice of the European Communities.

The Brussels Convention is a Convention between Member States of the European Community which establishes a scheme to determine the international jurisdiction of the courts of the Member States and to facilitate recognition and enforcement of judgments within the Community. The 1982 Act gives the Convention force in this country.

On becoming a member of the European Community, a State undertakes to accede to that Convention. This Order amends the 1982 Act to reflect the revisions made to the Brussels Convention on the accession of Austria, Finland and Sweden. The effect of Part I of this Order is to extend the reciprocal application of the Convention accordingly. For convenience, the amended texts of the Convention and the 1971 Protocol on Interpretation of the Convention are set out in Schedules 1 and 2.

Part II of this Order amends the Civil Jurisdiction and Judgments Act 1982 in consequence of a revision of the Lugano Convention.

The Lugano Convention is a Convention between Member States of the European Community and states which are either EFTA (European Free Trade Area) States or prospective members of the European Community. Like the Brussels Convention, it establishes a scheme to determine the international jurisdiction of the courts of the Contracting States and to facilitate recognition and enforcement of judgments among those States. The Civil Jurisdiction and Judgments Act 1991 amended the 1982 Act so as to give the Convention force in this country.

Part II of this Order amends the 1982 Act to reflect the revisions made to the Lugano Convention on the accession of Poland. The effect of Part II of this Order is to extend the reciprocal application of the Convention accordingly.