

# **SECOND SUPPLEMENT TO THE GIBRALTAR GAZETTE**

**No. 4800 GIBRALTAR Thursday 24th December 2020**

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LEGAL NOTICE NO. 553 OF 2020.

## **EUROPEAN UNION (WITHDRAWAL) ACT 2019**

### **CIVIL JURISDICTION AND JUDGMENTS (HAGUE CONVENTION ON CHOICE OF COURT AGREEMENTS 2005) (EU EXIT) REGULATIONS 2020**

In exercise of the powers conferred on her by section 11 of and paragraph (1) of Schedule 3 to the European Union (Withdrawal) Act 2019, the Minister has made these Regulations-

#### **PART 1 Introduction**

##### **Title.**

1. These Regulations may be cited as the Civil Jurisdiction and Judgments (Hague Convention on Choice of Court Agreements 2005) (EU Exit) Regulations 2020.

##### **Commencement.**

2. These Regulations come into operation on 1 January 2021.

#### **PART 2 Amendment of primary legislation**

##### **Civil Jurisdiction and Judgments Act 1993.**

3. In section 16(1) of the Civil Jurisdiction and Judgments Act 1993 (interim relief and protective measures in cases of doubtful jurisdiction) omit paragraph (d).

#### **PART 3 Amendment of retained direct EU legislation**

##### **Council Decision of 26 February 2009 (2009/397/EC).**

4. Council Decision of 26 February 2009 on the signing on behalf of the European Community of the Convention on Choice of Court Agreements (2009/397/EC) is revoked.

##### **Council Decision of 4 December 2014 (2014/887/EU).**

5. Council Decision of 4 December 2014 on the approval, on behalf of the European Union, of the Convention on Choice of Court Agreements (2014/887/EU) is revoked.

Dated: 24<sup>th</sup> December 2020.

S SACRAMENTO,  
Minister with responsibility for Justice.

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**EXPLANATORY MEMORANDUM**

These Regulations are made in exercise of the power in section 11(1) of the European Union (Withdrawal) Act 2019 in order to address failures of retained EU law to operate effectively and other deficiencies (in particular under section 11(2)(c) and (e)) arising from the withdrawal of the United Kingdom and Gibraltar from the European Union.

These Regulations also repeal section 16(1)(d) of the Civil Jurisdiction and Judgments Act 1993 in so far as that provision relates to references to the Court of Justice of the European Union regarding interpretation of the 2005 Hague Convention.

Part 3 of these Regulations revoke retained EU legislation consisting of two Council Decisions relating to the signature and conclusion of the 2005 Hague Convention by the European Union.