

2018 No.

**EXITING THE EUROPEAN UNION**

**SENIOR COURTS OF ENGLAND AND WALES**

**COUNTY COURT, ENGLAND AND WALES**

**The Civil Procedure Rules 1998 (Amendment) (EU Exit)  
Regulations 2019**

*Sift requirements satisfied* \*\*\*

*Made* - - - - - \*\*\*

*Laid before Parliament* \*\*\*

*Coming into force in accordance with regulation 1*

The requirements of paragraph 3(2) of Schedule 7 to the European Union (Withdrawal) Act 2018(a) (relating to the appropriate Parliamentary procedure for these Regulations) have been satisfied.

The Secretary of State makes these Regulations in exercise of the powers conferred by section 8(1) of that Act.

**Citation, commencement, extent and interpretation**

1.—(1) — These Regulations may be cited as the Civil Procedure Rules 1998 (Amendment) (EU Exit) Regulations 2019 and come into force on exit day.

(2) These Regulations extend to England and Wales.

(3) A reference in these Regulations to a rule or Part by number alone is a reference to the rule or Part so numbered in the Civil Procedure Rules 1998(b).

**Amendment of the Civil Procedure Rules 1998**

2. The Civil Procedure Rules 1998 are amended as set out in regulations 3 to 16.

**Amendment of Part 5**

3.—(1) Part 5 (court documents)(c) is amended as follows.

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(a) 2018 c. 16.

(b) S.I. 1998/3132.

(c) Relevant amendments were made to Part 5 by S.I. 2011/88.

- (2) In rule 5.4C—
  - (a) in paragraph (1)(b), omit “, subject to paragraph (1B)”; and
  - (b) omit paragraph (1B).

#### **Amendment of Part 6**

4.—(1) — Part 6 (service of documents)(a) is amended as follows.

- (2) In the table of contents for the Part—
  - (a) in the entry for the heading for Section II of the Part, omit “OR IN SPECIFIED CIRCUMSTANCES WITHIN THE EEA”;
  - (b) in the entry for rule 6.7, omit—
    - (i) “or European Lawyer”; and
    - (ii) “or in any other EEA state”;
  - (c) in the entry for the heading for Section III of the Part, omit “OR IN SPECIFIED CIRCUMSTANCES WITHIN THE EEA”;
  - (d) omit the entry for rule 6.41.
- (3) In rule 6.2, omit paragraph (e) and the words in parentheses which follow it.
- (4) In the heading for Section II of the Part, omit “OR IN SPECIFIED CIRCUMSTANCES WITHIN THE EEA”.
- (5) In rule 6.3, in paragraph (1), omit “(subject to Section IV of the Part and the rules in this Section relating to service out of the jurisdiction on solicitors, European Lawyers and parties)”.
- (6) In rule 6.4, in paragraph (1), for “Subject to Section IV of the Part and the rules in this Section relating to service out of the jurisdiction on solicitors, European Lawyers and parties, the”, substitute “The”.
- (7) In rule 6.6—
  - (a) in paragraph (1), omit “, 6.7(3)”; and
  - (b) in paragraph (2), omit “or its equivalent in any EEA state (if applicable)”.
- (8) In rule 6.7—
  - (a) in the heading, omit—
    - (i) “or European Lawyer”; and
    - (ii) “or in any other EEA state”;
  - (b) in paragraph (2)—
    - (i) omit “or EEA state other than the United Kingdom”; and
    - (ii) omit sub-paragraphs (b) and (c); and
  - (c) omit paragraph (3) and the first set of words in parentheses following it.
- (9) In rule 6.8—
  - (a) in the opening words, omit “and the provisions of Section IV of this Part”; and
  - (b) in paragraph (a), omit “or any other EEA state”.
- (10) In rule 6.9, in paragraph (1)(b), omit “or European Lawyer”.
- (11) In the heading to Section III of the Part, omit “OR IN SPECIFIED CIRCUMSTANCES WITHIN THE EEA”.
- (12) In rule 6.20, in paragraph (1), for “Subject to Section IV of the Part and the rules in this Section relating to service out of the jurisdiction on solicitors, European Lawyers and parties, a”, substitute “A”.

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(a) Relevant amendments were made to Part 6 by S.I. 2008/2178 and S.I. 2011/88.

(13) In rule 6.21, in paragraph (1), for “Subject to Section IV of the Part and the rules in this Section relating to service out of the jurisdiction on solicitors, European Lawyers and parties, a”, substitute “A”.

(14) In rule 6.23—

- (a) in paragraph (1), omit “or its equivalent in any EEA state (if applicable)”;
- (b) in paragraph (2)—
  - (i) in sub-paragraph (a), omit “either” and “or any other EEA state”;
  - (ii) omit sub-paragraph (b);
  - (iii) in sub-paragraph (c)—
    - (aa) omit “or no European Lawyer nominated to accept service of documents”;
    - (bb) at the end of paragraph (i) omit “or”; and
    - (cc) omit paragraph (ii); and
- (c) in paragraph (3), omit “, (b)”.

(15) In rule 6.31—

- (a) in paragraph (c), for “the Brussels and Lugano Conventions (as defined in section 1(1) of the 1982 Act) and any other” substitute “any”;
- (b) omit paragraph (d) and the words in parentheses following it;
- (c) omit paragraph (e); and
- (d) omit paragraphs (g) to (j).

(16) In rule 6.33—

- (a) omit paragraph (1);
- (b) in paragraph (2)—
  - (i) for “under the Judgments Regulation” substitute “under sections 15A to 15E of the 1982 Act”;
  - (ii) in sub-paragraph (a)—
    - (aa) omit “subject to paragraph (2A); and
    - (bb) omit “or any other Member State”;
  - (iii) in sub-paragraph (b)—
    - (aa) omit paragraph (i);
    - (bb) in paragraph (ii), for “article 17 of the Judgments Regulation” substitute “section 15B(1) of the 1982 Act”;
    - (cc) at the end of paragraph (ii) insert “or”;
    - (dd) in paragraph (iii), for “article 20 of the Judgments Regulation” substitute “section 15C(1) of the 1982 Act”; and
    - (ee) omit paragraphs (iv) and (v);
- (c) omit paragraph (2A); and
- (d) in paragraph (3), omit “the 1982 Act, the Lugano Convention,” and “, the Judgments Regulation,”.

(17) In rule 6.35—

- (a) omit paragraphs (3) and (4) (including the cross-heading above each paragraph); and
- (b) in paragraph (5), omit “in a country not referred to in paragraph (3) or (4)”.

(18) In rule 6.40, omit paragraph (3)(a)(i).

(19) Omit rule 6.41.

(20) In rule 6.45, omit the words in parentheses at the end of the rule.

(21) In rule 6.48—

- (a) at the end of paragraph (a), omit “but”; and
- (b) omit paragraph (b).

### **Amendment of Part 8**

- 5.—(1) Part 8 (alternative procedure for claims)(a) is amended as follows.
- (2) In rule 8.1, omit the second set of words in parentheses at the end of the rule.

### **Amendment of Part 12**

- 6.—(1) — Part 12 (default judgment)(b) is amended as follows.
- (2) In rule 12.3, omit the third set of words in parentheses at the end of the rule.
- (3) In rule 12.10, in paragraph (b)—
  - (a) in sub-paragraph (i), omit “, 6.33(1), 6.33(2)”; and
  - (b) in sub-paragraph (ii), omit “or in any other Convention territory or Member State”.
- (4) In rule 12.11—
  - (a) in paragraph (4)(a), omit —
    - (i) “, the Lugano Convention, the Judgments Regulation”; and
    - (ii) “, 6.33(1), 6.33(2)”; and
  - (b) in paragraph (6), omit sub-paragraphs (a), (b), (e) and (f).

### **Amendment of Part 13**

- 7.—(1) — Part 13 (setting aside or varying default judgment)(c) is amended as follows.
- (2) In rule 13.3, omit the second set of words in parentheses at the end of the rule.

### **Amendment of Part 25**

- 8.—(1) — Part 25 (interim remedies and security for costs)(d) is amended as follows.
- (2) In rule 25.13, in paragraph (1)(a)—
  - (a) omit “a Brussels Contracting State, a State bound by the Lugano Convention,”; and
  - (b) omit “or a Regulation State”.

### **Amendment of Part 30**

- 9.—(1) — Part 30 (transfer)(e) is amended as follows.
- (2) In rule 30.8, in paragraph (1), for “of—” and sub-paragraphs (a) and (b), substitute “of Chapter I or II of Part I of the Competition Act 1998(f)”.

### **Amendment of Part 31**

- 10.—(1) Part 31 (disclosure and inspection of documents)(g) is amended as follows.
- (2) In rule 31.3—
  - (a) in paragraph (1)—

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(a) Relevant amendments were made to Part 8 by S.I. 2011/88.  
(b) Relevant amendments were made to Part 12 by S.I. 2008/2178.  
(c) Relevant amendments were made to Part 13 by S.I. 2008/2178.  
(d) Relevant amendments were made to Part 25 by S.I. 2002/3219, S.I. 2005/3515, S.I. 2009/3131 and S.I. 2015/1644.  
(e) Relevant amendments were made to Part 30 by S.I. 2003/3361 and S.I. 2004/1306.  
(f) 1998 c. 41.  
(g) Relevant amendments were made to Part 31 by S.I. 2011/88.

- (i) at the end of sub-paragraph (b), insert “or”;
- (ii) at the end of sub-paragraph (c), omit “or; and
- (iii) omit sub-paragraph (d); and
- (b) omit the third set of words in parentheses at the end of paragraph (1).
- (3) In rule 31.12, omit the second set of words in parentheses at the end of the rule.
- (4) In rule 31.16 omit the words in parentheses at the end of the rule.
- (5) In rule 31.17, omit the words in parentheses at the end of the rule.

### **Amendment of Part 32**

- 11.**—(1) Part 32 (evidence)(a) is amended as follows.
- (2) In rule 32.7, omit the words in parentheses at the end of the rule.

### **Amendment of Part 34**

**12.**—(1) — Part 34 (witnesses, depositions and evidence for foreign courts)(b) is amended as follows.

(2) In the table of contents, omit the entry for Section III of the Part, including the entries for rules 34.22 to 34.24.

(3) In rule 34.13, in paragraph (1)—

- (a) at the end of sub-paragraph (a), omit “and”; and
- (b) omit sub-paragraph (b).

(4) In rule 34.13A, in paragraph (3), omit the words from “irrespective of” to the end.

(5) In rule 34.16—

- (a) in paragraph (1), omit “, other than an application made as result of a request by a court in another Regulation State”; and
- (b) in paragraph (2)—
  - (i) at the end of sub-paragraph (a), omit “and”; and
  - (ii) omit sub-paragraph (b).

(6) Omit Section III of the Part, including rules 34.22 to 34.24.

### **Amendment of Part 63**

**13.**—(1) — Part 63 (intellectual property claims)(c) is amended as follows.

(2) In rule 63.1(2)(j), omit paragraphs (iv), (v) and (vii).

(3) Omit rule 63.2(1)(b)(i).

(4) In rule 63.14(2)—

- (a) in sub-paragraph (a)—
  - (i) at the end of paragraph (i) omit “; or”; and
  - (ii) omit paragraph (ii); and

(b) in sub-paragraph (b)—

- (i) at the end of paragraph (i) omit “; or”; and
- (ii) omit paragraph (ii).

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(a) Relevant amendments were made to Part 32 by S.I. 2011/88.

(b) Relevant amendments were made to Part 34 by S.I. 2003/2113 and S.I. 2003/3361.

(c) Part 63 was substituted by S.I. 2009/2178, and relevant amendments were made by S.I. 2013/1974.

## Revocation of Part 68

14. Part 68 (references to the European Court)(a) is revoked.

## Amendment of Part 74

15.—(1) — Part 74 (enforcement of judgments in different jurisdictions)(b) is amended as follows.

(2) In the table of contents—

- (a) omit the entries for rules 74.3A, 74.4A, 74.7A, 74.7B, 74.7C and 74.11A;
- (b) omit the entry for Sections IV and V of the Part, including the entries for rules 74.19 to 74.33;
- (c) omit the cross-heading “OUTGOING PROTECTION MEASURES”; and
- (d) omit the entries for rules 74.36 to 74.45.

(3) In rule 74.1—

- (a) omit paragraphs (4) and (4A);
- (b) in paragraph (4B)—
  - (i) omit sub-paragraph (a); and
  - (ii) in sub-paragraph (b), omit “the United Kingdom or”; and
- (c) in paragraph (5), omit sub-paragraphs (d) to (f).

(4) In rule 74.2—

- (a) in paragraph (1), omit sub-paragraph (b); and
- (b) omit paragraph (2).

(5) In rule 74.3, in paragraph (1)—

- (a) in sub-paragraph (c), for “sections 4 and” substitute “section”;
- (b) at the end of sub-paragraph (c), omit “and”; and
- (c) omit sub-paragraph (d).

(6) Omit rule 74.3A.

(7) In rule 74.4, omit paragraph (6).

(8) Omit rule 74.4A.

(9) In rule 74.5—

- (a) in paragraph (1)—
  - (i) at the end of sub-paragraph (b), insert “and”;
  - (ii) at the end of sub-paragraph (c), omit “and”; and
  - (iii) omit sub-paragraph (d); and
- (b) in paragraph (2), omit “or the Lugano Convention or the Judgments Regulation”.

(10) In rule 74.6, in paragraph (3)(c)(ii), omit “or the Lugano Convention”.

(11) Omit rules 74.7A, 74.7B and 74.7C.

(12) In rule 74.8, in paragraph (1), omit “or the Lugano Convention”.

(13) In rule 74.9—

- (a) omit paragraph (1);

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(a) Part 68 was substituted by S.I. 2013/1974.

(b) Part 74 was inserted by S.I. 2002/2058. Relevant amendments were made by S.I. 2007/1655, S.I. 2009/3131, S.I. 2014/2948, S.I. 2014/3299 and S.I. 2015/1644.

- (b) in paragraph (2), for “In relation to a judgment to which the Judgments Regulation does not apply, no” substitute “No”; and
- (c) in paragraph (3), omit “to which the Judgments Regulation does not apply”.
- (14) In rule 74.10, in paragraphs (1) and (2), omit “the 1982 Act, the Lugano Convention and”.
- (15) In rule 74.11—
  - (a) omit “and the Lugano Convention and applications for the refusal of recognition or enforcement or suspension of any judgments under the Judgments Regulation”; and
  - (b) for “of—” and sub-paragraphs (a) and (b), substitute “of court settlements which are subject to article 12 of the 2005 Hague Convention.”.
- (16) Omit rule 74.11A.
- (17) In rule 74.12—
  - (a) in paragraph (1)—
    - (i) at the end of sub-paragraph (b), insert “or”;
    - (ii) at the end of sub-paragraph (c), omit “or”; and
    - (iii) omit sub-paragraph (d); and
  - (b) in paragraph (2), for “County Court—” and sub-paragraphs (a) and (b), substitute “County Court must apply for a certified copy of the judgment.”.
- (18) Omit Section IV of the Part, including rules 74.19 to 74.26.
- (19) Omit Section V of the Part, including rules 74.27 to 74.33.
- (20) In rule 74.34, omit sub-paragraphs (a), (b), (d) and (f).
- (21) Before rule 74.36, omit the cross-heading “OUTGOING PROTECTION MEASURES”.
- (22) Omit rules 74.36 to 74.45.

### **Revocation of Part 78**

16. Part 78 (European procedures)(a) is revoked.

### **Transitional and saving provision – Part 5**

17. In relation to a mediation to which the Cross-Border Mediation (EU Directive) Regulations 2011(b) applied before exit day, rule 5.4C continues to apply on and after exit day, in relation to any documents listed in paragraph (1B) of that rule as it stood immediately before exit day, as if the amendments to that rule made by these Regulations had not been made.

### **Transitional and saving provision – Part 6**

18.—(1) Where before exit day, pursuant to rule 6.7—

- (a) a defendant has given, as the address at which the defendant may be served with the claim form, the business address of a solicitor in an EEA state outside the United Kingdom, or of a European lawyer in any EEA state; or
- (b) a solicitor acting for the defendant has notified the business address of that solicitor in an EEA state outside the United Kingdom, or a European lawyer has notified the address of that European lawyer in any EEA State, as the address at which that solicitor or European lawyer is instructed to accept service of the claim form,

the claim form, if not served before exit day, must on or after exit day be served at that address notwithstanding the changes made by these Regulations.

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(a) Part 78 was inserted by S.I. 2008/2178. Relevant amendments were made by S.I. 2011/88.  
 (b) S.I. 2011/1133.

(2) Where before exit day, pursuant to rule 6.23, a party to proceedings has given, as the address at which that party may be served with documents relating to those proceedings, the business address in an EEA state outside the United Kingdom of a solicitor acting for that party, or in any EEA State of a European lawyer nominated to accept service of documents—

- (a) that address will continue on and after exit day to be that party's address for service unless and until that party elects to change the address for service; and
- (b) if that party elects on or after exit day to change the address for service, the new address for service may be any address for service permitted by rule 6.23 as in force immediately before exit day.

(3) Where before exit day a claim form has been served under rule 6.33 in a country referred to in rule 6.35(3) or (4) (as in force immediately before exit day), the period for filing an acknowledgment of service or defence is the period provided in rule 6.35(3) or (4) (as applicable) as in force immediately before exit day.

(4) In this regulation, "EEA state" has the meaning it had for the purposes of Part 6 immediately before exit day.

(5) Where before exit day an applicant has filed the documents referred to in rule 6.41(2) but the action required by rule 6.41(3) has not been taken by exit day, the court may treat the request for service of the documents in question as a request for service pursuant to rule 6.42(1) or (2) as appropriate.

#### **Transitional and saving provision – Part 12**

**19.** Where before exit day a claim was served out of the jurisdiction without requiring the permission of the court under any of the provisions of rule 6.33, rules 12.10 and 12.11 apply on and after exit day in relation to an application for default judgment as if the amendments made to those rules by these Regulations had not been made.

#### **Transitional and saving provision – Part 25**

**20.** Where a claim was issued before exit day, rule 25.13 (conditions to be satisfied for security for costs) applies on and after exit day in relation to the issue of security for costs for that claim as if the amendments to that rule made by these Regulations had not been made.

#### **Transitional and saving provision – Part 30**

**21.** The amendment made to rule 30.8 by these Regulations does not apply in relation to proceedings relating to competition described in paragraph 14(2) of Schedule 4 to the Competition (Amendment etc.) (EU Exit) Regulations 2019(a).

#### **Transitional and saving provision – Part 31**

**22.** In relation to a mediation to which the Cross-Border Mediation (EU Directive) Regulations 2011(b) applied before exit day, rule 31.3 continues to apply on and after exit day as if the amendments to that rule made by these Regulations had not been made.

#### **Transitional and saving provision – Part 34**

**23.—**(1) Where regulation 13 of the Service of Documents and Taking of Evidence in Civil and Commercial Matters (Revocation and Saving Provision) (EU Exit) Regulations 2018(c) applies, rules 34.22 and 34.24 continue to apply on and after exit day as if the amendments to those rules made by these Regulations had not been made.

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(a) S.I. 2019/93.  
(b) S.I. 2011/1133.  
(c) S.I. 2018/1257.



(2) If before exit day a court has made an order for the issue or submission of a request under rule 34.23 but the further action required by that rule has not been taken by exit day, the court may treat the order as one for the issue of a letter of request under rule 34.13 and proceed accordingly.

### **Transitional and saving provision – Part 63**

**24.** Where a claim relating to—

- (a) Community registered designs;
- (b) Community plant variety rights; or
- (c) Community trade marks,

is issued before exit day but has not been determined by exit day, Part 63 continues to apply on and after exit day in relation to the proceedings on the claim as if the amendments to that Part made by these Regulations had not been made.

### **Transitional and saving provision – Part 68**

**25.** Proceedings which immediately before exit day were stayed in accordance with rule 68.5 continue to be stayed on or after exit day unless or until the court directs otherwise.

### **Transitional and saving provision – Part 74**

**26.—**(1) Where—

- (a) a judgment—
  - (i) was given before exit day by a court of a Contracting State or Regulation State; or
  - (ii) was given after exit day by such a court in proceedings commenced before that court before exit day;
- (b) an authentic instrument was before exit day formally drawn up or registered as an authentic instrument in a Contracting State or Regulation State; or
- (c) a court settlement was before exit day approved by or concluded before a court of a Contracting State or Regulation State,

Part 74 applies to proceedings concerning recognition and enforcement of that judgment, authentic instrument or court settlement on and after exit day as if the changes made by these Regulations had not been made.

(2) In this regulation, “Contracting State” and “Regulation State” have the meanings given by rule 74.2 (as that rule was in force immediately before exit day).

### **Transitional and saving provision – Part 74 and Part 78**

**27.—**(1) Where in relation to any proceedings the relevant saving provision applies, the relevant rules continue to apply on and after exit day for the purposes of those proceedings as if the amendments made to those rules by these Regulations had not been made.

(2) In this regulation—

- (a) “the relevant saving provision” means any of regulations 16 to 18, and regulation 19, of the European Enforcement Order, European Order for Payment and European Small Claims Procedure (Amendment etc.) (EU Exit) Regulations 2018(a) as applicable; and
- (b) “the relevant rules” means Part 78, or Section IV of Part 74, as applicable.

(3) Where an application under rule 78.24 as then in force for a mediation settlement enforcement order was made before exit day, rules 78.24 and 78.25 continue to apply on and after

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(a) S.I. 2018/1311.

exit day for the purposes of that application as if the changes made in relation to those rules by these Regulations had not been made.

(4) In relation to a mediation to which the Cross-Border Mediation (EU Directive) Regulations 2011<sup>(a)</sup> applied before exit day, rules 78.23 and 78.25 to 78.28 continue to apply on and after exit day, so far as relevant in relation to mediation evidence relating to that mediation, as if the changes made in relation to those rules by these Regulations had not been made.

Date \_\_\_\_\_  
Name  
Parliamentary Under Secretary of State  
Ministry of Justice

### EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations are made in exercise of the powers in section 8(1) of the European Union (Withdrawal) Act 2018 (c. 16) (the 2018 Act) in order to address failures of retained EU law to operate effectively and other deficiencies (in particular paragraph g of section 8(2)) arising from the withdrawal of the United Kingdom from the European Union.

The changes made by these Regulations are consequential on provision made in a number of other statutory instruments made under the 2018 Act. The Civil Procedure Rules 1998 make provision in a number of places to govern the procedure for proceedings under or related to certain EU instruments. Those EU instruments, as retained EU law under the 2018 Act, are being revoked or amended by other Regulations made under the 2018 Act, and it is accordingly necessary in consequence to remove or amend the corresponding provisions in the Rules. Those other Regulations include transitional and saving provisions the effect of which is that in some circumstances the operation of EU legislation which the Civil Procedure Rules supplement is preserved. Therefore these Regulations include transitional and saving provision to preserve the operation of the corresponding provision in the Rules for those purposes.

The amendments made by these Regulations to the Civil Procedure Rules 1998 are as follows:

*Part of the Amendment  
Rules*

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|--------|---|
| Part 5 | There is omitted provision cross-referring to provisions in Part 78 which are themselves omitted.   |
| Part 6 | There are omitted provisions relating to litigants providing as an address for service the address of a European lawyer in an EEA State (which fall away on Exit); provisions relating to service under the EU Service Regulation (Regulation (EC) No. 1393/2007) (consequential on the revocation of that Regulation by the Service of Documents and Taking of Evidence in Civil and Commercial Matters (Revocation and Saving Provision) EU Exit) Regulations 2018 (S.I. 2018/1257); and provisions relating to jurisdiction under the “Brussels Ia” Regulation (Regulation (EU) No. 1215/2012) (consequential on the revocation of that Regulation and related instruments by the Civil Jurisdiction and Judgments |

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(a) S.I. 2011/1133.

(Amendment) (EU Exit) Regulations 2019 (S.I. 2019/XXXX).

- Part 8 There is omitted a cross-reference to provisions in Part 78 which are themselves omitted.
- Part 12 There are omitted references to the EU Service Regulation; references to service of a claim under provisions in Part 6 which are themselves omitted; and provision defining terms for the purposes of provisions which are themselves omitted.
- Part 13 There is omitted a reference to the EU Service Regulation.
- Part 25 There are omitted references to States which are parties to or bound by the “Brussels Ia” Regulation, the Lugano Convention and the Brussels Convention (consequential on the revocation of that Regulation and related instruments by the Civil Jurisdiction and Judgments (Amendment) (EU Exit) Regulations 2019).
- Part 30 There is omitted a reference to transfer of cases relating to provisions of the EU Treaty, which will no longer be applicable on Exit.
- Part 31 There are omitted cross-references to provisions in Part 78 which are themselves omitted.
- Part 32 There is omitted a cross-reference to provisions in Part 78 which are themselves omitted.
- Part 34 There are omitted provisions governing procedure for requests under the EU Taking of Evidence Regulation (Regulation (EC) No. 1206/2001), and certain cross-references, in consequence of the revocation of the Taking of Evidence Regulation by the Service of Documents and Taking of Evidence in Civil and Commercial Matters (Revocation and Saving Provision) EU Exit) Regulations 2018.
- Part 63 There are omitted references to EU instruments, and registers kept at EU level, which will no longer be applicable on Exit.
- Part 68 Part 68 makes provision for the procedure for making references to the Court of Justice of the EU, which will no longer be applicable on Exit, and is omitted accordingly.
- Part 74 There are omitted provisions governing procedure for applications in relation to recognition and enforcement under the “Brussels Ia” Regulation and Lugano Convention and their predecessors, consequential on the revocation of those EU instruments by the Civil Jurisdiction and Judgments (Amendment) (EU Exit) Regulations 2019. There are also amendments, and provisions omitted, in relation to the EU Protection Measures Regulation (Regulation (EU) 606/2013), consequential on the provision made by the Mutual Recognition of Protection Measures in

Civil Matters (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/XXXX); and in relation to the EU European Enforcement Orders Regulation (Regulation (EC) No. 805/2004) consequential on the provision made in the European Enforcement Order, European Order for Payment and European Small Claims Procedure (Amendment etc.) (EU Exit) Regulations 2018 (S.I. 2018/1311).

Part 78 Part 78 makes provision for the procedure relating to proceedings under or in relation to certain EU instruments which are revoked by, or cease to have effect in accordance with, the European Enforcement Order, European Order for Payment and European Small Claims Procedure (Amendment etc.) (EU Exit) Regulations 2018 and the Cross-Border Mediation (EU Directive) (EU Exit) Regulations 2019 (S.I. 2019/XXXX); and is revoked accordingly.

An impact assessment has not been produced for this instrument as it has no or minimal impact on business, the voluntary sector and the public sector.

DRAFT