

# **3 HARE COURT**

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## **Enforcement of Commonwealth Judgments – CLC 2025**

### **1. Common Law**

- Final and conclusive
- International Jurisdiction Competence
- Fixed sum of money
- Not impeachable (fraud, breach of natural justice, contrary to public policy)

### **2. Administration of Justice Act 1920**

- 12 months to register or longer if 'just and convenient'
- Final judgment includes arbitral awards
- Carrying on business nor ordinarily resident
- No appeal pending
- Discretionary

### **3. Foreign Judgments (Reciprocal Enforcement) Act 1933**

- 6 years to register
- Final judgment includes orders for interim payments
- Judgment must be enforceable in state of origin
- Mandatory

### **4. Civil Jurisdiction and Judgments Act 1982**

- Enforcement between different parts of UK and other designated territories (e.g. Gibraltar)
- Defines when a person has not submitted to the jurisdiction of an overseas court (s.33)

### **5. Hague Judgments Convention 2019**

- From 1 July 2025 (Malta, Cyprus as EU states)
- Wide jurisdictional bases (Art. 5)
- Excludes arbitration awards and interim measures
- Must be enforceable in state of origin

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## 6. Recent Case Law

- Agbara & Ors v Shell & Ors [2019] EWHC 3340 (QB)
- Yearwood v Yearwood [2020] UKPC 26
- Strategic Technologies Pte Ltd v Procurement Bureau of the Republic of China Ministry of National Defence [2020] EWCA Civ 1604; [2021] QB 999 (see also [2023] EWHC 754 (KB))
- Del Curto v Del Curto [2023] EWHC 2106 (KB)
- Mohammad v bin Tarraf & Ors [2025] EWHC 776 (KB)

## 7. Other Recent Cases Dealing with Enforcement of Foreign Judgments/Orders/Arbitral Awards

- Convoy Collateral Ltd v Broad Idea International Ltd and Cho Kwai Chee [2022] UKPC 1
- Lenkor Energy Trading DMCC v Puri [2021] EWCA Civ 770
- Hangzhou Jiudang Asset Management Co Ltd v Hung [2022] EWHC 3265 (Comm)
- Invest Bank v. El-Husseini [2023] EWHC 2302 (Comm)
- Moss and others v Martin and another [2023] 1 W.L.R. 612
- Border Timbers Ltd and another v Republic of Zimbabwe [2024] EWHC 58 (Comm)
- Cape Intermediate Holdings Ltd v Protopapas [2024] UKPC 6
- Kireeva v Bedzhamov [2024] UKSC 39
- Infrastructure Services Luxembourg S.à.r.l. and Energia Termosolar B.V. v Kingdom of Spain [2024] UKSC 16
- Tumpuan Megah Development Sdn. Bhd. v. ING Bank N.V. & another [2024] EWHC 2350 (Comm)
- Olsen v. Finansiell Stabilitet A/S [2025] EWHC 42 (KB)
- Servis-Terminal LLC v Drelle [2025] EWCA Civ 62