

AUSTRALIAN CAPITAL TERRITORY

FOREIGN JUDGMENTS (RECIPROCAL ENFORCEMENT) ORDINANCE.

EXPLANATORY MEMORANDUM.

No. 11 of 1954

The purpose of this Ordinance is to enable judgments of superior courts outside Australia to be registered and enforced in the Australian Capital Territory.

2. The legislation is reciprocal in nature, that is, it depends upon reciprocity of treatment of judgments of the Supreme Court of the Australian Capital Territory. Similar legislation is already in force in the United Kingdom, and consequently the Ordinance is expressed to apply to United Kingdom judgments. So far as judgments of superior courts of other countries (whether part of the Queen's dominions or not) are concerned, however, it will be necessary for the Governor-General to proclaim the extension of the Ordinance to each country which offers substantial reciprocity.

3. A judgment to which the Ordinance applies may be registered in the Supreme Court and, subject to certain special provisions for setting registration aside, may be enforced in the same way as if it had originally been given in the Supreme Court on the date of registration.