

How to enforce civil and commercial judgments after Brexit?

As explained in our two previous articles relating to Brexit, “How to protect your creative business after Brexit?” and “Brexit legal implications: the road less travelled”, the European Union (“EU”) regulations and conventions on the jurisdiction and the recognition and enforcement of judgments in civil and commercial matters, ceased to apply in the United Kingdom (“UK”) once it no longer was a EU member-state. Therefore, since 1 January 2021 (the “Transition date”), no clear enforcement system is in place, to enforce a UK civil or commercial judgment in a EU member-state, and vice-versa. Creative businesses now have to rely on domestic recognition regimes in the UK and each EU member-state, if in existence. This introduced additional procedural steps before a foreign judgment is recognised, which makes the enforcement of EU civil and commercial judgments in the UK, and of UK civil and commercial judgments in the EU, more time-consuming and expensive.