

Private International Law Bill gains Royal Assent

Press release

The Private International Law Bill (2020) received royal assent today (14 December 2020) allowing the UK to implement vital agreements which protect the country's businesses and citizens across borders.



- Bill allows UK to implement its own Private International Law agreements
- 10-year strategy to capitalise on this new freedom published shortly

These agreements help to resolve a range of legal disputes – from returning children abducted by a parent, settling international business disagreements, to helping prevent a spouse living abroad dodging child maintenance obligations.

A public consultation on a 10-year strategy which seeks to capitalise on the UK's regained capability in this area of law will be published shortly.

It will provide a blueprint for maintaining Britain's status as a leading global jurisdiction for businesses to operate in, by giving them the legal certainty they need. It will also ensure that consumers and families have access to the most effective ways of resolving disputes in an ever-more globalised world.

Lord Chancellor Robert Buckland said:

These agreements provide vital protections to UK businesses, individuals and families looking to live, work, travel and trade across borders.

We can now enjoy the freedom of being able to strike and implement our own Private International Law deals, ensuring they continue to have the interests of UK citizens at heart.

Without the ability to implement these agreements in domestic law, there could be parallel court cases in different countries, leading to conflicting decisions where UK individuals, businesses and families would bear the brunt of legal costs.

The Bill also maintains three key existing agreements, known as Hague Conventions, to ensure their clear implementation at the end of the transition period on 31 December 2020, and will enable the implementation of the Lugano Convention 2007, should the UK's application to re-join it be successful.

It provides an overarching legislative framework, enabling individual private international law (PIL) agreements to be implemented via secondary legislation now the UK has left the EU.

Notes to editors

- The Private International Law Bill (2020) received Royal Assent today. It allows the UK to secure its own Private International Law (PIL) agreements now the UK has left the EU.
- PIL agreements cover aspects of civil, family and commercial law, with a real and lasting impacts on people's lives. PIL agreements could mean, for example
 - child maintenance obligations imposed in one country can be recognised and enforced in another
 - UK citizens can have confidence that if they travel, buy goods or have an accident abroad there is a way to resolve any legal disputes that may arise.
 - businesses can feel confident entering into cross-border transactions, knowing that in the event of a dispute, there is a clear framework of rules for resolving it
 - divorces can be recognised in other countries
 - children abducted by one of their parents can be returned to their home country, and
 - businesses can feel confident entering into cross-border transactions, knowing that in the event of a dispute, there is a clear framework of rules for resolving it.
- Beyond underpinning future deals, the Bill simplifies the implementation of three existing Hague Conventions at the end of the Transition Period:
 - 1996 Hague Convention on Jurisdiction, Applicable Law, Recognition, Enforcement and Co-operation in Respect of Parental Responsibility and Measures for the Protection of Children: Helps resolve issues around residence and contact with children where parents live in different countries
 - 2005 Hague Convention on Choice of Court Agreements: Offers legal certainty in some cross-border contractual disputes by deciding which court should hear a case and enabling the decision to be recognised and enforced in another country
 - 2007 Hague Convention on the International Recovery of Child Support and Other Forms of Family Maintenance: Guarantees international recovery of child support and other forms of family maintenance across borders.

- A public consultation on a 10-year strategy for Private International Law will be published shortly.

Published 14 December 2020