

SUPREME COURT OF QUEENSLAND

CITATION: *Exmoor Trim Limited v Burton* [2026] QSC 173

PARTIES: **EXMOOR TRIM LIMITED**
(applicant)
v
JUSTIN BURTON
(respondent)

FILE NO: SC No 2689 of 2026

DIVISION: Trial Division

PROCEEDING: Application

ORIGINATING COURT: Supreme Court at Brisbane

DELIVERED ON: 16 July 2026

DELIVERED AT: Brisbane

HEARING DATE: Heard on the papers

JUDGE: Doyle JA

ORDERS:

- 1. The judgment of the County Court Civil at the National Business Centre, England and Wales, dated 22 September 2025, whereby the respondent was ordered to pay the applicant the sum of £26,544.19, be registered under Part 2 of the *Foreign Judgments Act 1991* (Cth).**
- 2. The amount payable by the respondent to the applicant under the judgment is £26,544.19.**
- 3. The reasonable costs of and incidental to registration, fixed in the sum of AU\$5,200.70, are payable by the respondent to the applicant.**
- 4. The respondent may, within 45 days after being served with the notice of registration, apply under s 7 of the *Foreign Judgments Act 1991* (Cth) to have the registration set aside.**

CATCHWORDS: PRIVATE INTERNATIONAL LAW – RECOGNITION, EFFECT AND ENFORCEMENT OF FOREIGN JUDGMENTS – UNDER LEGISLATION – ENFORCEMENT OF FOREIGN JUDGMENTS – REGISTRATION – where the applicant obtained judgment against the respondent in the County Court at the Civil National Business Centre, England and Wales – where the applicant applies to register the judgment in the Supreme Court

of Queensland – whether the judgment should be registered under Part 2 of the *Foreign Judgments Act 1991* (Cth)

Foreign Judgments Act 1991 (Cth), s 5, s 6, s 7

Foreign Judgments Regulations 1992 (Cth), reg 5(2)(a)

Uniform Civil Procedure Rules 1999 (Qld), r 947D(1), 947E

COUNSEL: K Molketin (*sol*) for the applicant

SOLICITORS: Results Legal for the applicant

[1] **DOYLE JA:** This is an application pursuant to Part 2 of the *Foreign Judgments Act 1991* (Cth) (“the Act”) for registration of a judgment of the County Court at the Civil National Business Centre, England and Wales, dated 22 September 2025 (“the judgment”).

[2] Section 6(1) and (2) of the Act provides:

“(1) A judgment creditor under a judgment to which this Part applies may apply to the appropriate court at any time within 6 years after:

- (a) the date of the judgment; or
- (b) where there have been proceedings by way of appeal against the judgment, the date of the last judgment in those proceedings;

to have the judgment registered in the court.

...

(2) For the purposes of subsection (1), the appropriate court is:

“...

- (c) ... the Supreme Court of a State or Territory.”

[3] Section 5(4) of the Act provides:

“(4) This Part applies to an enforceable money judgment that:

- (a) is final and conclusive; and
- (b) was given in:
 - (i) a superior court of a country in relation to which this Part extends; or
 - (ii) an inferior court of such a country, being an inferior court in relation to which this Part extends.”

[4] Relevantly, regulation 5(2)(a) of the *Foreign Judgments Regulations 1992* (Cth) specifies that:

“(2) Part 2 of the Act extends in relation to the following inferior courts of the United Kingdom:

(a) County Courts (England and Wales);”

[5] A certified copy of the judgment is exhibited to the affidavit of the solicitor for the applicant (“the affidavit”). The judgment orders the respondent to pay the applicant the sum of £26,544.19.¹

[6] The application is determined on the papers pursuant to r 947D(1) of the *Uniform Civil Procedure Rules 1999* (Qld) (“UCPR”).

[7] Rule 947E of the UCPR provides:

“(1) An application for registration of a judgment must be supported by an affidavit—

- (a) exhibiting a certified copy of the original court’s judgment under its seal; and
- (b) specifying the regulation under the Commonwealth Act that extends part 2 of the Commonwealth Act to the country of the original court or to the original court; and
- (c) specifying the following particulars—
 - (i) the full name and last known address of the judgment creditor and judgment debtor;
 - (ii) the nature of the causes of action to which the judgment relates;
 - (iii) that a regulation has not been made under section 13 of the Commonwealth Act applying the section to the country of the original court;
 - (iv) that the judgment has not been wholly satisfied or, if the judgment has been partly satisfied, the amount in respect of which it remains unsatisfied;
 - (v) that there is no reason why the judgment could not be enforced in the country of the original court;
 - (vi) the costs of registration of the judgment incurred by the applicant;
 - (vii) if the amount of the judgment is expressed in a currency other than Australian currency—whether the judgment creditor wishes the judgment to be registered in the currency in which it is expressed or in Australian currency;

...”

[8] The affidavit exhibits the judgment under seal, identifies the prescribed court and the parties, states the cause of action as a claim for breach of contract, identifies the amount remaining unsatisfied, being the whole of £26,544.19, and the costs of registration being AU\$3,025.00 for legal fees and AU\$2,175.70 for filing fees,

¹ Affidavit of Kate Molkentin (affirmed 11 June 2026), Exhibit KM-1.

totalling AU\$5,200.70. The affidavit records the applicant's election that the judgment be registered in pound sterling. The affidavit also states that the judgment is final and binding and remains enforceable in England and Wales.

[9] Section 6(3) of the Act provides:

“(3) Subject to this Act and to proof of the matters prescribed by the applicable Rules of Court, if an application is made under this section, the Supreme Court of a State or Territory or the Federal Court of Australia is to order the judgment to be registered.”

[10] The application was made within six years after the date of the judgment. I am satisfied that the judgment is an enforceable money judgment which is final and conclusive, was given by an inferior court to which Part 2 of the Act extends, remains wholly unsatisfied and is enforceable in England and Wales. The judgment should therefore be registered.

[11] Section 6(15) of the Act provides that a judgment is to be registered for the reasonable costs of and incidental to registration. I accept that the reasonable costs of and incidental to registration are AU\$5,200.70.

[12] Section 6(4) requires the order to state the period within which an application may be made under s 7 to have the registration set aside. The applicant seeks a period of 28 days after service of the notice of registration. I consider that a longer period would be appropriate.

Orders

[13] THE ORDER OF THE COURT IS THAT:

1. The judgment of the County Court at the Civil National Business Centre, England and Wales, dated 22 September 2025, whereby the respondent was ordered to pay the applicant the sum of £26,544.19, be registered under Part 2 of the *Foreign Judgments Act 1991* (Cth).
2. The amount payable by the respondent to the applicant under the judgment is £26,544.19.
3. The reasonable costs of and incidental to registration, fixed in the sum of AU\$5,200.70, are payable by the respondent to the applicant.
4. The respondent may, within 45 days after being served with the notice of registration, apply under s 7 of the *Foreign Judgments Act 1991* (Cth) to have the registration set aside.