

SCHEDULES

[F2]SCHEDULE 4

CHAPTER II OF THE REGULATION AS MODIFIED:  
RULES FOR ALLOCATION OF JURISDICTION WITHIN UK

<b>Textual Amendments</b>	
<b>F2</b>	Sch. 4 substituted (1.3.2002) by S.I. 2001/3929, arts. 1(b), 4, Sch. 2 para. 4 (with transitional provisions in art. 6)
<b>Modifications etc. (not altering text)</b>	
<b>C1</b>	Sch. 4 applied (with modifications) (1.10.2008) by The Housing (Scotland) Act 2006 (Consequential Provisions) Order 2008 (S.I. 2008/1889), art. 4(3)

Special jurisdiction

- F13
- A person domiciled in a part of the United Kingdom may, in another part of the United Kingdom, be sued—

  - (a) in matters relating to a contract, in the courts for the place of performance of the obligation in question;
  - (b) F3 .....
  - (c) in matters relating to tort, delict or quasi-delict, in the courts for the place where the harmful event occurred or may occur;
  - (d) as regards a civil claim for damages or restitution which is based on an act giving rise to criminal proceedings, in the court seised of those proceedings, to the extent that that court has jurisdiction under its own law to entertain civil proceedings;
  - (e) as regards a dispute arising out of the operations of a branch, agency or other establishment, in the courts for the place in which the branch, agency or other establishment is situated;
  - (f) as settlor, trustee or beneficiary of a trust created by the operation of a statute, or by a written instrument, or created orally and evidenced in writing, in the courts of the part of the United Kingdom in which the trust is domiciled;
  - (g) as regards a dispute concerning the payment of remuneration claimed in respect of the salvage of a cargo or freight, in the court under the authority of which the cargo or freight in question—
    - (i) has been arrested to secure such payment; or
    - (ii) could have been so arrested, but bail or other security has been given;

provided that this provision shall apply only if it is claimed that the defendant has an interest in the cargo or freight or had such an interest at the time of salvage;

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**Changes to legislation:** There are currently no known outstanding effects for the Civil Jurisdiction and Judgments Act 1982, Paragraph 3. (See end of Document for details)

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- (h) in proceedings—
- (i) concerning a debt secured on immovable property; or
  - (ii) which are brought to assert, declare or determine proprietary or possessory rights, or rights of security, in or over movable property, or to obtain authority to dispose of movable property,
- in the courts of the part of the United Kingdom in which the property is situated.]

#### Textual Amendments

- F1** Sch. 4 para. 3 substituted (1.3.2002) by S.I. 2001/3929, arts. 1(b), 4, **Sch. 2 para. 4** (with transitional provisions in art. 6)
- F3** Sch. 4 para. 3(b) repealed (18.6.2011) by The Civil Jurisdiction and Judgments (Maintenance) Regulations 2011 (S.I. 2011/1484), **Sch. 4 para. 11**

**Changes to legislation:**

There are currently no known outstanding effects for the Civil Jurisdiction and Judgments Act 1982, Paragraph 3.