

**Changes to legislation:** There are currently no known outstanding effects for the Civil Jurisdiction and Judgments Act 1982, Cross Heading: Jurisdiction over individual contracts of employment. (See end of Document for details)

## SCHEDULES

### [<sup>F1</sup>SCHEDULE 8

#### RULES AS TO JURISDICTION IN SCOTLAND

##### Textual Amendments

**F1** Sch. 8 substituted (1.3.2002) by S.I. 2001/3929, arts. 1(b), 4, Sch. 2 para. 7

##### Modifications etc. (not altering text)

**C1** Sch. 8 applied (with modifications) (1.10.2008) by The Housing (Scotland) Act 2006 (Consequential Provisions) Order 2008 (S.I. 2008/1889), art. 5(3)

#### *Jurisdiction over individual contracts of employment*

- 4 (1) In matters relating to individual contracts of employment, jurisdiction shall be determined by this rule, without prejudice to rule 2(f).
- (2) An employer may be sued—
- (a) in the courts for the place where he is domiciled; or
  - (b) in the courts for the place where the employee habitually carries out his work or in the courts for the last place where he did so; or
  - (c) if the employee does not or did not habitually carry out his work in any one place, in the courts for the place where the business which engaged the employee is or was situated.
- (3) An employer may bring proceedings only in the courts for the place in which the employee is domiciled.
- (4) The provisions of this rule shall not affect the right to bring a counter-claim in the court in which, in accordance with this rule, the original claim is pending.
- (5) The provisions of this rule may be departed from only by an agreement on jurisdiction—
- (a) which is entered into after the dispute has arisen; or
  - (b) which allows the employee to bring proceedings in courts other than those indicated in this rule.]

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