

SCHEDULE 1

PART II

III SPECIAL PROVISIONS ABOUT SERVICE OUT OF THE JURISDICTION

Service out of the jurisdiction where the permission of the court is not required

6.19.—(1) A claim form may be served on a defendant out of the jurisdiction where each claim included in the claim form made against the defendant to be served is a claim which the court has power to determine under the 1982 Act and—

- (a) no proceedings between the parties concerning the same claim are pending in the courts of any part of the United Kingdom or any other Convention territory; and
- (b) (i) the defendant is domiciled in the United Kingdom or in any Convention territory;
(ii) Article 16 of Schedule 1, 3C or 4 to the 1982 Act refers to the proceedings; or
(iii) the defendant is a party to an agreement conferring jurisdiction to which Article 17 of Schedule 1, 3C or 4 to the 1982 Act refers.

(2) A claim form may be served on a defendant out of the jurisdiction where each claim included in the claim form made against the defendant to be served is a claim which, under any other enactment, the court has power to determine, although—

- (a) the person against whom the claim is made is not within the jurisdiction; or
- (b) the facts giving rise to the claim did not occur within the jurisdiction.

(3) Where a claim form is to be served out of the jurisdiction under this rule, it must contain a statement of the grounds on which the claimant is entitled to serve it out of the jurisdiction.