
STATUTORY INSTRUMENTS

2009 No. 3131

The Civil Jurisdiction and Judgments Regulations 2009

Amendments to the Civil Jurisdiction and Judgments Act 1982

18.—(1) In section 41(1) omit “the Lugano Convention”.

(2) After section 41 insert—

“Domicile of individuals for the purposes of the Lugano Convention

41A.—(1) Subject to Article 59 of the Lugano Convention (which contains provisions for determining whether a party is domiciled in a State bound by the Lugano Convention), the following provisions of this section determine, for the purposes of the Lugano Convention, whether an individual is domiciled in the United Kingdom or in a particular part of, or place in, the United Kingdom or in a state other than a State bound by the Lugano Convention.

(2) An individual is domiciled in the United Kingdom if and only if—

- (a) he is resident in the United Kingdom; and
- (b) the nature and circumstances of his residence indicate that he has a substantial connection with the United Kingdom.

(3) Subject to subsection (5), an individual is domiciled in a particular part of the United Kingdom if and only if—

- (a) he is resident in that part; and
- (b) the nature and circumstances of his residence indicate that he has a substantial connection with that part.

(4) An individual is domiciled in a particular place in the United Kingdom if and only if he—

- (a) is domiciled in the part of the United Kingdom in which that place is situated; and
- (b) is resident in that place.

(5) An individual who is domiciled in the United Kingdom but in whose case the requirements of subsection (3)(b) are not satisfied in relation to any particular part of the United Kingdom shall be treated as domiciled in the part of the United Kingdom in which he is resident.

(6) In the case of an individual who—

- (a) is resident in the United Kingdom, or in a particular part of the United Kingdom; and
- (b) has been so resident for the last three months or more,

the requirements of subsection (2)(b) or, as the case may be, subsection (3)(b) shall be presumed to be fulfilled unless the contrary is proved.

(7) An individual is domiciled in a state other than a State bound by the Lugano Convention if and only if—

- (a) he is resident in that state; and

Changes to legislation: There are currently no known outstanding effects for the The Civil Jurisdiction and Judgments Regulations 2009, Section 18. (See end of Document for details)

- (b) the nature and circumstances of his residence indicate that he has a substantial connection with that state.”.

Commencement Information

11 [Reg. 18](#) in force at 1.1.2010, see [reg. 1\(1\)](#)

Changes to legislation:

There are currently no known outstanding effects for the The Civil Jurisdiction and Judgments Regulations 2009, Section 18.