
Changes to legislation: Civil Jurisdiction and Judgments Act 1982, Cross Heading: Consumer Credit Act 1974 (c. 39) is up to date with all changes known to be in force on or before 31 March 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

SCHEDULES

^{XI}SCHEDULE 12

CONSEQUENTIAL AMENDMENTS

Editorial Information

- X1** The text of ss. 15(4), 16(5), 23(2), 35(2)(3), 36(6), 37(2), 38, 40(3), 54, Schs. 10–12 and 14 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

PART II

AMENDMENTS CONSEQUENTIAL ON SCHEDULE 8

Consumer Credit Act 1974 (c. 39)

- 4 In section 141 of the Consumer Credit Act 1974 the following subsections shall be substituted for subsection (3)—
- “(3) In Scotland the sheriff court shall have jurisdiction to hear and determine any action referred to in subsection (1) and such an action shall not be brought in any other court.
- (3A) Subject to subsection (3B) an action which is brought in the sheriff court by virtue of subsection (3) shall be brought only in one of the following courts, namely—
- (a) the court for the place where the debtor or hirer is domiciled (within the meaning of section 41 or 42 of the Civil Jurisdiction and Judgments Act 1982);
 - (b) the court for the place where the debtor or hirer carries on business ; and
 - (c) where the purposes of the action is to assert, declare or determine proprietary or possessory rights, or rights of security, in or over moveable property, or to obtain authority to dispose of moveable property, the court for the place where the property is situated.
- (3B) Subsection (3A) shall not apply—
- (a) where Rule 3 of Schedule 8 to the Act of 1982 applies; or
 - (b) where the jurisdiction of another court has been prorogated by an agreement entered in to after the dispute has arisen.”.

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

- Act applied (with modifications) by [S.I. 2018/1125 reg. 8](#) (This amendment not applied to [legislation.gov.uk](#). S.I. 2018/1125, reg. 8 omitted (31.12.2020) by virtue of Private International Law (Implementation of Agreements) Act 2020 (c. 24), s. 4(3), Sch. 5 para. 4(4))

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- Sch. 8 rule 2(g) words substituted by [2024 asp 2 Sch. 1 para. 15](#)