

Status: Point in time view as at 25/02/2002.

Changes to legislation: Civil Jurisdiction and Judgments Act 1982, TITLE V is up to date with all changes known to be in force on or before 25 May 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)

SCHEDULES

[^{F1}SCHEDULE 3C

TEXT OF THE LUGANO CONVENTION]

Textual Amendments

- F1** Sch. 3C inserted (1.5.1992) by Civil Jurisdiction and Judgments Act 1991 (c. 12, SIF 45:3), s. 1(3), Sch. 1 (with s. 4); S.I. 1992/745, art. 2

TITLE V

GENERAL PROVISIONS

Article 52

Modifications etc. (not altering text)

- C1** Sch. 3C art. 52 applied (10.6.2002) by S.S.I. 2002/133, Sch. 1 Ch. 8 rule 8.3(3)(b)

In order to determine whether a party is domiciled in the Contracting State whose courts are seised of a matter, the court shall apply its internal law.

If a party is not domiciled in the State whose courts are seised of the matter, then, in order to determine whether the party is domiciled in another Contracting State, the court shall apply the law of that State.

Article 53

For the purposes of this Convention, the seat of a company or other legal person or association of natural or legal persons shall be treated as its domicile. However, in order to determine that seat, the court shall apply its rules of private international law.

In order to determine whether a trust is domiciled in the Contracting State whose courts are seised of the matter, the court shall apply its rules of private international law.

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