



Civil Jurisdiction and Judgments Act 1982

1982 CHAPTER 27

PART III

JURISDICTION IN SCOTLAND

20 Rules as to jurisdiction in Scotland.

- (1) Subject to ^{F1}... Parts I and II and to the following provisions of this Part, Schedule 8 has effect to determine in what circumstances a person may be sued in civil proceedings in the Court of Session or in a sheriff court.
- (2) Nothing in Schedule 8 affects the competence as respects subject-matter or value of the Court of Session or of the sheriff court.
- (3) [^{F2}Section 43 of the Courts Reform (Scotland) Act 2014 does not apply—]
 - [^{F3}(a)] ^{F4}...in relation to any matter to which Schedule 8 applies. ^{F5}...
 - ^{F5}(b)
- ^{F6}(4)
- (5) In determining any question as to the meaning or effect of any provision contained in Schedule 8 ^{F7}...—
 - (a) regard shall be had to any relevant principles laid down by the European Court in connection with Title II of the 1968 Convention [^{F8}or Chapter II of the Regulation] and to any relevant decision of that court as to the meaning or effect of any provision of that Title [^{F9}or that Chapter]; and
 - (b) without prejudice to the generality of paragraph (a), [^{F10}the expert reports relating to the 1968 Convention] may be considered and shall, so far as relevant, be given such weight as is appropriate in the circumstances.
- [^{F11}(6) The requirement in subsection (5)(a) applies only in relation to principles laid down, or decisions made, by the European Court before IP completion day.]

Changes to legislation: Civil Jurisdiction and Judgments Act 1982, Section 20 is up to date with all changes known to be in force on or before 05 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

Textual Amendments

- F1** Words in s. 20(1) omitted (31.12.2020) by virtue of The Civil Jurisdiction and Judgments (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/479), regs. 1(1), **31(2)** (with regs. 92-95) (as amended by S.I. 2020/1493, regs. 1(1), 5(2)-(5)); 2020 c. 1, Sch. 5 para. 1(1)
- F2** Words in s. 20(3) substituted (S.) (1.4.2015) by Courts Reform (Scotland) Act 2014 (asp 18), s. 138(2), **sch. 5 para. 7(a)**; S.S.I. 2015/77, art. 2(2)(3), sch. and (E.W.N.I.) (1.4.2015) by The Courts Reform (Scotland) Act 2014 (Consequential Provisions and Modifications) Order 2015 (S.I. 2015/700), art. 1(11)(j), **Sch. para. 11(2)(a)**
- F3** Words in s. 20(3) renumbered as s. 20(3)(a) (18.6.2011) by virtue of The Civil Jurisdiction and Judgments (Maintenance) Regulations 2011 (S.I. 2011/1484), **Sch. 4 para. 4(a)**
- F4** Words in s. 20(3)(a) repealed (S.) (1.4.2015) by Courts Reform (Scotland) Act 2014 (asp 18), s. 138(2), **sch. 5 para. 7(b)**; S.S.I. 2015/77, art. 2(2)(3), sch. and (E.W.N.I.) (1.4.2015) by The Courts Reform (Scotland) Act 2014 (Consequential Provisions and Modifications) Order 2015 (S.I. 2015/700), art. 1(11)(j), **Sch. para. 11(2)(b)**
- F5** S. 20(3)(b) and word omitted (31.12.2020) by virtue of The Jurisdiction and Judgments (Family) (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/519), reg. 1(1), **Sch. para. 12(5)** (with reg. 8) (as amended by S.I. 2020/1574, regs. 1, 5(2)); 2020 c. 1, Sch. 5 para. 1(1)
- F6** S. 20(4) omitted (1.3.2002) by virtue of S.I. 2001/3929, arts. 1(b), 4, **Sch. 2 para. 6(b)** (with transitional provisions in art. 6)
- F7** Words in s. 20(5) omitted (1.3.2002) by virtue of S.I. 2001/3929, arts. 1(b), 4, **Sch. 2 para. 6(c)(i)** (with transitional provisions in art. 6)
- F8** Words in s. 20(5)(a) inserted (1.3.2002) by S.I. 2001/3929, arts. 1(b), 4, **Sch. 2 para. 6(c)(ii)** (with transitional provisions in art. 6)
- F9** Words in s. 20(5)(a) inserted (1.3.2002) by S.I. 2001/3929, arts. 1(b), 4, **Sch. 2 para. 6(c)(iii)** (with transitional provisions in art. 6)
- F10** Words in s. 20(5)(b) substituted (31.12.2020) by The Civil Jurisdiction and Judgments (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/479), regs. 1(1), **31(3)** (with regs. 92-95) (as amended by S.I. 2020/1493, regs. 1(1), 5(2)-(5)); 2020 c. 1, Sch. 5 para. 1(1)
- F11** S. 20(6) inserted (31.12.2020) by The Civil Jurisdiction and Judgments (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/479), regs. 1(1), **31(4)** (with regs. 92-95) (as amended by S.I. 2020/1493, regs. 1(1), 5(2)-(5)); 2020 c. 1, Sch. 5 para. 1(1)

Changes to legislation:

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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](#)