



Private International Law (Miscellaneous Provisions) Act 1995

1995 CHAPTER 42

PART III

CHOICE OF LAW IN TORT AND DELICT

12 Choice of applicable law: displacement of general rule

- (1) If it appears, in all the circumstances, from a comparison of—
- (a) the significance of the factors which connect a tort or delict with the country whose law would be the applicable law under the general rule; and
 - (b) the significance of any factors connecting the tort or delict with another country,

that it is substantially more appropriate for the applicable law for determining the issues arising in the case, or any of those issues, to be the law of the other country, the general rule is displaced and the applicable law for determining those issues or that issue (as the case may be) is the law of that other country.

- (2) The factors that may be taken into account as connecting a tort or delict with a country for the purposes of this section include, in particular, factors relating to the parties, to any of the events which constitute the tort or delict in question or to any of the circumstances or consequences of those events.