



Law Reform (Miscellaneous Provisions) (Scotland) Act 1940

1940 CHAPTER 42 3 and 4 Geo 6

4 Agreements to prorogate the jurisdiction of the sheriff court.

(1) Any provision or agreement in or in relation to a contract to which this section applies, whereby any party to such contract prorogates, or agrees to submit to, the jurisdiction of a particular sheriff court, shall be void.

(2) This section applies to—

(a) any contract for the sale of an article

[^{F1}and

(b)^{F2}]

[^{F3}(3) This section does not apply—

(a) in the case of an agreement entered into after the dispute in respect of which the agreement is intended to have effect has arisen; or

(b) where the contract is one referred to in Rule 3 of Schedule 8 to the Civil Jurisdiction and Judgments Act 1982.]

Textual Amendments

F1 Word substituted by Hire-Purchase (Scotland) Act 1965 (c. 67), s. 55, **Sch. 5**

F2 S. 4(2)(b)(c) repealed by virtue of Consumer Credit Act 1974 (c. 39), s. 192(4), **Sch. 5**

F3 S. 4(3) added by Civil Jurisdiction and Judgments Act 1982 (c. 27, SIF 45:3), s. 23(2), **Sch. 12 Pt. II para. 1** : a previous s. 4(3) was repealed by Hire-Purchase (Scotland) Act 1965 (c. 67), s. 55, **Sch. 6**

Changes to legislation:

There are currently no known outstanding effects for the Law Reform (Miscellaneous Provisions) (Scotland) Act 1940, Section 4.