



# Civil Jurisdiction and Judgments Act 1982

## 1982 CHAPTER 27

### PART V

#### SUPPLEMENTARY AND GENERAL PROVISIONS

##### *Domicile*

#### **42 Domicile and seat of corporation or association**

- (1) For the purposes of this Act the seat of a corporation or association (as determined by this section) shall be treated as its domicile.
- (2) The following provisions of this section determine where a corporation or association has its seat—
  - (a) for the purpose of Article 53 (which for the purposes of the 1968 Convention equates the domicile of such a body with its seat); and
  - (b) for the purposes of this Act other than the provisions mentioned in section 43(1)(b) and (c).
- (3) A corporation or association has its seat in the United Kingdom if and only if—
  - (a) it was incorporated or formed under the law of a part of the United Kingdom and has its registered office or some other official address in the United Kingdom ; or
  - (b) its central management and control is exercised in the United Kingdom.
- (4) A corporation or association has its seat in a particular part of the United Kingdom if and only if it has its seat in the United Kingdom and—
  - (a) it has its registered office or some other official address in that part; or
  - (b) its central management and control is exercised in that part; or
  - (c) it has a place of business in that part.
- (5) A corporation or association has its seat in a particular place in the United Kingdom if and only if it has its seat in the part of the United Kingdom in which that place is situated and—

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*Status: This is the original version (as it was originally enacted).*

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- (a) it has its registered office or some other official address in that place ; or
  - (b) its central management and control is exercised in that place; or
  - (c) it has a place of business in that place.
- (6) Subject to subsection (7), a corporation or association has its seat in a state other than the United Kingdom if and only if—
- (a) it was incorporated or formed under the law of that state and has its registered office or some other official address there; or
  - (b) its central management and control is exercised in that state.
- (7) A corporation or association shall not be regarded as having its seat in a Contracting State other than the United Kingdom if it is shown that the courts of that state would not regard it as having its seat there.
- (8) In this section—
- " business " includes any activity carried on by a corporation or association, and " place of business " shall be construed accordingly;
  - " official address ", in relation to a corporation or association, means an address which it is required by law to register, notify or maintain for the purpose of receiving notices or other communications.