

Changes to legislation: Civil Jurisdiction and Judgments Act 1982, Cross Heading: Prorogation of jurisdiction is up to date with all changes known to be in force on or before 27 June 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

SCHEDULES

[^{F1}SCHEDULE 4

CHAPTER II OF THE REGULATION AS MODIFIED: RULES FOR ALLOCATION OF JURISDICTION WITHIN UK

Textual Amendments

- F1** Sch. 4 substituted (1.3.2002) by S.I. 2001/3929, arts. 1(b), 4, **Sch. 2 para. 4** (with transitional provisions in art. 6)

Modifications etc. (not altering text)

- C1** Sch. 4 applied (with modifications) (1.10.2008) by The Housing (Scotland) Act 2006 (Consequential Provisions) Order 2008 (S.I. 2008/1889), **art. 4(3)**

Prorogation of jurisdiction

- ^{F2}12 (1) If the parties have agreed that a court or the courts of a part of the United Kingdom are to have jurisdiction to settle any disputes which have arisen or which may arise in connection with a particular legal relationship, and, apart from this Schedule, the agreement would be effective to confer jurisdiction under the law of that part, that court or those courts shall have jurisdiction.
- (2) The court or courts of a part of the United Kingdom on which a trust instrument has conferred jurisdiction shall have jurisdiction in any proceedings brought against a settlor, trustee or beneficiary, if relations between these persons or their rights or obligations under the trust are involved.
- (3) Agreements or provisions of a trust instrument conferring jurisdiction shall have no legal force^{F3}... if the courts whose jurisdiction they purport to exclude have exclusive jurisdiction by virtue of rule 11.

Textual Amendments

- F2** Sch. 4 para. 12 substituted (1.3.2002) by S.I. 2001/3929, arts. 1(b), 4, **Sch. 2 para. 4** (with transitional provisions in art. 6)
- F3** Words in Sch. 4 rule 12(3) omitted (31.12.2020) by virtue of The Civil Jurisdiction and Judgments (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/479), regs. 1(1), **59(b)** (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)

- ^{F4}13 (1) Apart from jurisdiction derived from other provisions of this Schedule, a court of a part of the United Kingdom before which a defendant enters an appearance shall have jurisdiction.
- (2) This rule shall not apply where appearance was entered to contest the jurisdiction, or where another court has exclusive jurisdiction by virtue of rule 11.]

Changes to legislation: Civil Jurisdiction and Judgments Act 1982, Cross Heading: Prorogation of jurisdiction is up to date with all changes known to be in force on or before 27 June 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

- F4** [Sch. 4 para. 13](#) substituted (1.3.2002) by [S.I. 2001/3929](#), arts. 1(b), 4, **Sch. 2 para. 4** (with transitional provisions in [art. 6](#))

Changes to legislation:

Civil Jurisdiction and Judgments Act 1982, Cross Heading: Prorogation of jurisdiction is up to date with all changes known to be in force on or before 27 June 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.

[View outstanding changes](#)

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](#)