



# Civil Jurisdiction and Judgments Act 1982

## 1982 CHAPTER 27

### PART V

#### SUPPLEMENTARY AND GENERAL PROVISIONS

##### *Domicile*

#### **43 Seat of corporation or association for purposes of [F<sup>1</sup>certain] provisions.**

- (1) The following provisions of this section determine where a corporation or association has its seat for the purposes of—
  - <sup>F2</sup>(a) .....
  - (b) [F<sup>3</sup>rules 4 and 11(b)] in Schedule 4; and
  - (c) [F<sup>4</sup>rules 2(l) and 5(1)(b)] in Schedule 8.
- (2) 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; or
  - (b) its central management and control is exercised in the United Kingdom.
- (3) 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) subject to subsection (5), it was incorporated or formed under the law of that part; or
  - (b) being incorporated or formed under the law of a state other than the United Kingdom, its central management and control is exercised in that part.
- (4) A corporation or association has its seat in a particular place in Scotland if and only if it has its seat in Scotland and—
  - (a) it has its registered office or some other official address in that place; or
  - (b) it has no registered office or other official address in Scotland, but its central management and control is exercised in that place.

*Status: Point in time view as at 31/12/2020.*

*Changes to legislation: Civil Jurisdiction and Judgments Act 1982, Section 43 is up to date with all changes known to be in force on or before 23 July 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)*

- (5) A corporation or association incorporated or formed under—
  - (a) an enactment forming part of the law of more than one part of the United Kingdom; or
  - (b) an instrument having effect in the domestic law of more than one part of the United Kingdom,
 shall, if it has a registered office, be taken to have its seat in the part of the United Kingdom in which that office is situated, and not in any other part of the United Kingdom.

<sup>F5</sup>(6) .....

<sup>F6</sup>(7) .....

- (8) In this section “official address” has the same meaning as in section 42.

<b>Textual Amendments</b>	
<b>F1</b>	Word in s. 43 heading substituted (31.12.2020) by <a href="#">The Civil Jurisdiction and Judgments (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/479)</a> , regs. 1(1), <b>43(2)</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)
<b>F2</b>	S. 43(1)(a) omitted (31.12.2020) by virtue of <a href="#">The Civil Jurisdiction and Judgments (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/479)</a> , regs. 1(1), <b>43(3)</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)
<b>F3</b>	Words in s. 43(1)(b) substituted (1.3.2002) by S.I. 2001/3929, arts. 1(b), 4, <b>Sch. 2 para. 16(a)</b>
<b>F4</b>	Words in s. 43(1)(c) substituted (1.3.2002) by S.I. 2001/3929, arts. 1(b), 4, <b>Sch. 2 para. 16(b)</b>
<b>F5</b>	S. 43(6) omitted (31.12.2020) by virtue of <a href="#">The Civil Jurisdiction and Judgments (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/479)</a> , regs. 1(1), <b>43(4)</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)
<b>F6</b>	S. 43(7) omitted (31.12.2020) by virtue of <a href="#">The Civil Jurisdiction and Judgments (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/479)</a> , regs. 1(1), <b>43(5)</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)

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