Status: Point in time view as at 02/05/2000. This version of this provision has been superseded.
Changes to legislation: There are currently no known outstanding effects for the
The Civil Procedure Rules 1998, Section 6.19. (See end of Document for details)

STATUTORY INSTRUMENTS

1998 No. 3132

The Civil Procedure Rules 1998

PART 6

SERVICE OF DOCUMENTS

[F1 III SPECIAL PROVISIONS ABOUT SERVICE OUT OF THE JURISDICTION

[F1 Service out of the jurisdiction where the permission of the court is not required

6.19.—(1) A claim form may be served on a defendant out of the jurisdiction where each claim included in the claim form made against the defendant to be served is a claim which the court has power to determine under the 1982 Act and—

(a) no proceedings between the parties concerning the same claim are pending in the courts of any part of the United Kingdom or any other Convention territory; and

(b) (i) the defendant is domiciled in the United Kingdom or in any Convention territory;

(ii) Article 16 of Schedule 1, 3C or 4 to the 1982 Act refers to the proceedings; or

(iii) the defendant is a party to an agreement conferring jurisidiction to which Article 17 of Schedule 1, 3C or 4 to the 1982 Act refers.

(2) A claim form may be served on a defendant out of the jurisdiction where each claim included in the claim form made against the defendant to be served is a claim which, under any other enactment, the court has power to determine, although—

(a) the person against whom the claim is made is not within the jurisdiction; or

(b) the facts giving rise to the claim did not occur within the jurisdiction.

(3) Where a claim form is to be served out of the jurisdiction under this rule, it must contain a statement of the grounds on which the claimant is entitled to serve it out of the jurisdiction.**]**

Textual Amendments
F1   Pt. 6 Section 3 inserted (2.5.2000) by The Civil Procedure (Amendment) Rules 2000 (S.I. 2000/221), rules 1(b), 4(5), **Sch. 1 Pt. 2**