

# Service out of the Jurisdiction

Name of court	
Claim no.	

Name of claimant

Name of defendant

Where rule 6.34 applies this form must be completed and filed at court with the claim form.

Where a claim form for service on a defendant out of the jurisdiction under rule 6.34 is not accompanied by this form, the claim form may only be served once this form is filed with the court or if the court gives permission (rule 6.34(2)).

Where a claim form is served without particulars of claim, it must be accompanied by a copy of Form N1D - Notes for defendant on replying to the claim form out of the jurisdiction.

Please **tick one** of the following boxes as your statement of why the claim form can be served out of the jurisdiction without the permission of the court. Also delete anything in square brackets that does not apply.

In proceedings to which **rule 6.32(1)(b)(i) or 6.33(2)(b)(i)** applies, the statement is —

- ☐ "I state that the [High Court of England and Wales] [County Court] has power under the [Civil Jurisdiction and Judgments Act 1982] [Judgments Regulation (as defined in CPR rule 6.31(d))] to hear this claim, that the defendant is domiciled in [the United Kingdom] [a Member State] and that no proceedings are pending between the parties in the courts of any other part of the United Kingdom or any other Member State."

In proceedings to which **rule 6.32(1)(b)(ii)** applies, the statement is —

- ☐ "I state that the [High Court of England and Wales] [County Court] has power under the Civil Jurisdiction and Judgments Act 1982, the claim being one to which paragraph 11 of Schedule 4 to that Act applies, to hear this claim and that no proceedings are pending between the parties in the courts of any other part of the United Kingdom."

In proceedings to which **rule 6.32(1)(b)(iii)** applies, the statement is —

- ☐ "I state that the [High Court of England and Wales] [County Court] has power under the Civil Jurisdiction and Judgments Act 1982, the defendant being a party to an agreement conferring jurisdiction to which paragraph 12 of Schedule 4 to that Act applies, to hear this claim and that no proceedings are pending between the parties in the courts of any other part of the United Kingdom."

In proceedings to which **rule 6.32(2) or 6.33(3)** applies, the statement is —

- ☐ "I state that the [High Court of England and Wales] [County Court] has the power to hear this claim under [state the provisions of the relevant enactment or Community instrument]

which satisfies the requirements of [CPR rule 6.32(2)] [CPR rule 6.33(3)] and that no proceedings are pending between the parties in the courts of any other part of the United Kingdom, in any other Convention territory of any Contracting State (as defined in section 1(3) of the Civil Jurisdiction and Judgments Act 1982) or in any other Member State."

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In proceedings to which **rule 6.33(1)(b)(ii)** applies, the statement is —

- ☐ “I state that the [High Court of England and Wales] [County Court] has power under the Civil Jurisdiction and Judgments Act 1982, the claim being one to which article 16 of Schedule 1 or article 16 of Schedule 3C to that Act applies, to hear this claim and that no proceedings are pending between the parties in the courts of any other part of the United Kingdom or any other Convention territory of any Contracting State (as defined in section 1(3) of that Act).”

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In proceedings to which **rule 6.33(1)(b)(iii)** applies, the statement is —

- ☐ “I state that the [High Court of England and Wales] [County Court] has power under the Civil Jurisdiction and Judgments Act 1982, the defendant being a party to an agreement conferring jurisdiction to which article 17 of Schedule 1 or article 17 of Schedule 3C to that Act, to hear this claim and that no proceedings are pending between the parties in the courts of any other part of the United Kingdom or in any other Convention territory of any Contracting State (as defined in section 1(3) of that Act).”

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In proceedings to which **rule 6.33(2)(b)(ii)** applies, the statement is —

- ☐ “I state that the [High Court of England and Wales] [County Court] has power under the Judgments Regulation (as defined in CPR rule 6.31(d)), the claim being one to which article 22 of that Regulation applies, to hear this claim and that no proceedings are pending between the parties in the courts of any other part of the United Kingdom or any other Member State.”

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In proceedings to which **rule 6.33(2)(b)(iii)** applies, the statement is —

- ☐ “I state that the [High Court of England and Wales] [County Court] has power under the Judgments Regulation (as defined in CPR rule 6.31(d)), the defendant being a party to an agreement conferring jurisdiction to which article 23 of that Regulation applies, to hear this claim and that no proceedings are pending between the parties in the courts of any other part of the United Kingdom or any other Member State.”

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In proceedings to which **rule 6.33(1)(b)(i)** applies, the statement is—

- ☐ “I state that the [High Court of England and Wales] [County Court] has power under the Civil Jurisdiction and Judgments Act 1982 to hear this claim, that the defendant is domiciled in [the United Kingdom] [a Convention territory of a Contracting State (as defined in section 1(3) of the Act)] and that no proceedings are pending between the parties in the courts of any other part of the United Kingdom or any other Convention territory of any Contracting State.”

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#### Statement of Truth

\*(I believe) (The Claimant believes) that the facts stated in this notice are true.

\* I am duly authorised by the claimant to sign this statement.

Full name \_\_\_\_\_

Name of claimant's solicitor's firm \_\_\_\_\_

signed \_\_\_\_\_ position or office held \_\_\_\_\_

\*(Claimant) (Litigation friend) (Claimant's solicitor)

(if signing on behalf of firm or company)

*\*delete as appropriate*