

Notice for Service out of the jurisdiction where permission of the court is not required (CPR 6.34)

In the

Claim no.

Name of claimant

Name of defendant

Note:

Where Civil Procedure Rule (CPR 6.34) applies this form must be completed and filed at court with the claim form (www.justice.gov.uk/courts/procedure-rules/civil). A copy of the form must **in addition** be served with the claim form.

Where a claim form for service on a defendant out of the jurisdiction under CPR 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 (CPR 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 being your statement as to 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. Please use Part 1 if the claim form to be served in Scotland or Northern Ireland or Part 2 if the claim form is to be served outside of England and Wales, Scotland or Northern Ireland.

PART 1 – Service of the claim form in Scotland and Northern Ireland (CPR 6.32)

In proceedings to which CPR 6.32(1)(a) and 6.32(1)(b)(i) apply the statement is:-

- ☐ “I state that each claim made against the defendant to be served and included in the claim form is a claim which the Court has power to determine under the Civil Jurisdiction and Judgments Act 1982 and
- (a) no proceedings between the parties concerning the same claim are pending in the Courts of any other part of the United Kingdom; and
 - (b) the defendant is domiciled in the United Kingdom.”

In proceedings to which CPR 6.32(1)(a) and 6.32(1)(b)(ii) apply the statement is:-

- ☐ “I state that each claim made against the defendant to be served and included in the claim form is a claim which the Court has power to determine under the Civil Jurisdiction and Judgments Act 1982 and
- (a) no proceedings between the parties concerning the same claim are pending in the Courts of any other part of the United Kingdom; and
 - (b) the proceedings are within paragraph 11 of Schedule 4 of the said Act.”

In proceedings to which CPR 6.32(1)(a) and 6.32(1)(b)(iii) apply, the statement is:-

- ☐ “I state that each claim made against the defendant to be served and included in the claim form is a claim which the Court has power to determine under the Civil Jurisdiction and Judgments Act 1982 and
- (a) no proceedings between the parties concerning the same claim are pending in the Courts of any other part of the United Kingdom; and
 - (b) the defendant is a party to an agreement conferring jurisdiction, within paragraph 12 of Schedule 4 to the said Act.”

In proceedings to which CPR 6.32(2) applies the statement is:

- ☐ “I state that each claim made against the defendant to be served and included in the claim form is a claim which the Court has power to determine under an enactment other than the Civil Jurisdiction and Judgments Act 1982, namely (state the provisions of the enactment relied on to confer the power) notwithstanding that
- (a) the defendant is not within the jurisdiction; or
 - (b) the facts giving rise to the claim did not occur within the jurisdiction.”
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PART 2 – Service of the claim form in any jurisdiction other than England and Wales, Scotland and Northern Ireland

In proceedings to which CPR 6.33(2) applies the statement is:

- ☐ “I state that each claim made against the defendant to be served and included in the claim form is a claim which the court has power to determine and
- (a) there are no proceedings between the parties concerning the same claim are pending in the courts of any other part of the United Kingdom; and
 - (b) (i) the defendant is not a consumer, but is a party to a consumer contract within section 15B(1) of the Civil Jurisdiction and Judgments Act 1982 Act; or
 - (ii) the defendant is an employer and a party to a contract of employment within section 15C(1) of the Civil Jurisdiction and Judgments Act 1982 Act.”
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In proceedings to which CPR 6.33(2B)(a) applies, the statement is:

- ☐ “I state that each claim made against the defendant to be served and included in the claim form is a claim which the court has power to determine under the 2005 Hague Convention and the defendant is a party to an exclusive choice of court agreement conferring jurisdiction on that court within the meaning of Article 3 of the 2005 Hague Convention.”
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In proceedings to which CPR 6.33(2B) (b) or (c) applies, the statement is:

- ☐ “I state that each claim made against the defendant to be served and included in the claim form is a claim made pursuant to or in respect of a contract which contains a term to the effect that the court shall have jurisdiction to determine that claim.”
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In proceedings to which CPR 6.33(3) applies, the statement is:

- ☐ “I state that each claim made against the defendant to be served and included in the claim form is a claim which the court has power to determine other than under the 2005 Hague Convention, notwithstanding that–
- (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.”
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In proceedings to which CPR 62.5(2A) applies, the statement is:

- ☐ “I state that each claim made against the defendant to be served and included in the claim form is a claim falling within CPR 62.5(1)(a) to (c) and in respect of an arbitration for which –
- (a) The seat of the arbitration is or will be in England and Wales; and
 - (b) The respondent is party to the arbitration agreement in question.”
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Statement of truth

I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

☐ **I believe** that the facts stated in this notice are true.

☐ **The Claimant** believes that the facts stated in this notice are true. **I am authorised** by the claimant to sign this statement.

Signature

☐ Claimant

☐ Litigation friend
(where judgment creditor is a child or a protected party)

☐ Claimant's legal representative (as defined by CPR 2.3(1))

Date

Day

Month

Year

Full name

Name of claimant's legal representative's firm

If signing on behalf of firm or company give position or office held