

The relevant connections

The court will have jurisdiction to hear your case under the Council Regulation or the Civil Partnership Regulations if any of the following connections applies on the date on which your petition is issued. You should state which of the connections matches your situation. You do not need to specify more than one, but if more than one connection applies, you may state more if you wish. **If your spouse/civil partner is not, or may not be, habitually resident in England and Wales, you should state all the connections that apply.**

The connections are that:

- The Petitioner and the Respondent are habitually resident in England and Wales.
- The Petitioner and Respondent were last habitually resident in England and Wales and the [Petitioner*] [or] [the Respondent*] still reside there (*specify as appropriate).
- The Respondent is habitually resident in England and Wales.
- The Petitioner is habitually resident in England and Wales and has resided there for at least a year immediately prior to the presentation of the petition.
- The Petitioner is domiciled and habitually resident in England and Wales and has resided there for at least six months immediately prior to the petition.
- (in a matrimonial case only) The Petitioner and Respondent are both domiciled in England and Wales.

If you and the Respondent are both habitually resident in England and Wales, you should tick the box next to that statement.

If this does not apply to you, or if you wish to rely on any additional or alternative connection(s), please tick 'other' and write in the box any of the other connections on which you rely.

Residual jurisdiction

If none of the above applies, the court may still have jurisdiction on an alternative basis (known as the residual jurisdiction) outside the Regulations. The connection which will give such residual jurisdiction will depend on whether the proceedings are matrimonial or civil partnership proceedings.

For matrimonial proceedings, the court has jurisdiction on a residual basis if:

- no court in any Contracting State (that is, no court in an EU Member State) has jurisdiction under the Council Regulation (because neither the Petitioner nor Respondent is habitually resident in any other Contracting State, nor is there any Contracting State of which they are both nationals, or in the case of the UK and Ireland, in which they are both domiciled); and
- either the Petitioner or the Respondent is domiciled in England and Wales on the date when the petition is issued.

If this option matches your situation you should tick the box next to the appropriate statement and state whether the Petitioner or the Respondent is domiciled in England and Wales.

For civil partnership proceedings, the court has jurisdiction on a residual basis if no court has, or is recognised as having, jurisdiction under the Civil Partnership (Jurisdiction and Recognition of Judgments) Regulations, and either:

- the Petitioner or the Respondent is domiciled in England or Wales

or

- the Petitioner and the Respondent registered as civil partners of each other in England and Wales and it would be in the interests of justice for the court to assume jurisdiction in this case.