

## 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 N1C (notes for defendants).

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.

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 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<sup>1</sup>] 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."

<sup>1</sup>Schedule 1 to the Interpretation Act 1978 states that "the Communities", "the Treaties" or "the Community Treaties" and other expressions defined by section 1 of and Schedule 1 to the European Communities Act 1972 have the meanings prescribed by that Act. Part II of Schedule 1 to the European Communities Act 1972 states "Community instrument means any instrument issued by a Community institution".