



Civil Jurisdiction and Judgments Act 1982

1982 CHAPTER 27

PART V

SUPPLEMENTARY AND GENERAL PROVISIONS

Domicile

42 Domicile and seat of corporation or association.

- (1) For the purposes of this Act the seat of a corporation or association (as determined by this section) shall be treated as its domicile.
 - (2) The following provisions of this section determine where a corporation or association has its seat—
 - ^{F1}(a)
 - (b) for the purposes of this Act other than the provisions mentioned in section 43(1)(b) and (c).
 - (3) A corporation or association has its seat in the United Kingdom if and only if—
 - (a) it was incorporated or formed under the law of a part of the United Kingdom and has its registered office or some other official address in the United Kingdom; or
 - (b) its central management and control is exercised in the United Kingdom.
 - (4) A corporation or association has its seat in a particular part of the United Kingdom if and only if it has its seat in the United Kingdom and—
 - (a) it has its registered office or some other official address in that part; or
 - (b) its central management and control is exercised in that part; or
 - (c) it has a place of business in that part.
- ^{F2}(4A) For the purposes of sections 15A to 15E and rules 1, 2, 3, 5, 11(a)(ii) and 15(1) in Schedule 4, the requirement in subsection (4) that a corporation or association has its seat in the United Kingdom is to be treated as satisfied if the corporation or

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association satisfies the requirement in section 42A(2) for having its domicile in the United Kingdom.]

- (5) A corporation or association has its seat in a particular place in the United Kingdom if and only if it has its seat in the part of the United Kingdom in which that place is situated and—
- (a) it has its registered office or some other official address in that place; or
 - (b) its central management and control is exercised in that place; or
 - (c) it has a place of business in that place.
- (6)^{F3} ... A corporation or association has its seat in a state other than the United Kingdom if and only if—
- (a) it was incorporated or formed under the law of that state and has its registered office or some other official address there; or
 - (b) its central management and control is exercised in that state.

[^{F4}(6A) Subsections (1), (3) and (6) are subject to section 42A.]

^{F5}(7)

(8) In this section—

“business” includes any activity carried on by a corporation or association, and “place of business” shall be construed accordingly;

“official address”, in relation to a corporation or association, means an address which it is required by law to register, notify or maintain for the purpose of receiving notices or other communications.

Textual Amendments

- F1** S. 42(2)(a) and word omitted (31.12.2020) by virtue of [The Civil Jurisdiction and Judgments \(Amendment\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/479), regs. 1(1), **41(2)** (with regs. 92-95) (as amended by S.I. 2020/1493, regs. 1(1), 5(2)-(5)); 2020 c. 1, Sch. 5 para. 1(1)
- F2** S. 42(4A) inserted (31.12.2020) by [The Civil Jurisdiction and Judgments \(Amendment\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/479), regs. 1(1), **41(3)** (with regs. 92-95) (as amended by S.I. 2020/1493, regs. 1(1), 5(2)-(5)); 2020 c. 1, Sch. 5 para. 1(1)
- F3** Words in s. 42(6) omitted (31.12.2020) by virtue of [The Civil Jurisdiction and Judgments \(Amendment\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/479), regs. 1(1), **41(4)** (with regs. 92-95) (as amended by S.I. 2020/1493, regs. 1(1), 5(2)-(5)); 2020 c. 1, Sch. 5 para. 1(1)
- F4** S. 42(6A) inserted (31.12.2020) by [The Civil Jurisdiction and Judgments \(Amendment\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/479), regs. 1(1), **41(5)** (with regs. 92-95) (as amended by S.I. 2020/1493, regs. 1(1), 5(2)-(5)); 2020 c. 1, Sch. 5 para. 1(1)
- F5** S. 42(7) omitted (31.12.2020) by virtue of [The Civil Jurisdiction and Judgments \(Amendment\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/479), regs. 1(1), **41(6)** (with regs. 92-95) (as amended by S.I. 2020/1493, regs. 1(1), 5(2)-(5)); 2020 c. 1, Sch. 5 para. 1(1)

Modifications etc. (not altering text)

- C1** S. 42 applied (S.) (10.6.2002) by S.S.I. 2002/132, art. 2, **Sch. 1 Ch. 7 Rule 7.3(3)(a)** (with art. 3)
S. 42 applied (S.) (10.6.2002) by S.S.I. 2002/133, art. 2, **Sch. 1 Ch. 8 Rule 8.3(3)(a)**
- C2** S. 42 applied by [1998 c. 41, s. 59\(1B\)](#) (as inserted (1.10.2015) by [Consumer Rights Act 2015](#) (c. 15), s. 100(5), **Sch. 8 para. 15(4)**; S.I. 2015/1630, **art. 3(j)**)
- C3** S. 42 applied by (N.I) (7.6.2022) by [Defamation Act \(Northern Ireland\) 2022](#) (c. 30), **ss. 6(4), 14**
- C4** Ss. 41, 42 applied (S.) (8.8.2022) by [Defamation and Malicious Publication \(Scotland\) Act 2021](#) (asp 10), **ss. 19(5), 39(2)** (with s. 19(6)); S.S.I. 2022/154, regs. 1(2), **2**

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- C5** S. 42(1) applied (1.8.2016) by [Third Parties \(Rights against Insurers\) Act 2010 \(c. 10\), ss. 13\(1\)\(2\), 21\(2\); S.I. 2016/550, art. 2](#)
- C6** S. 42(3)(4) applied (1.8.2016) by [Third Parties \(Rights against Insurers\) Act 2010 \(c. 10\), ss. 13\(1\)\(2\), 21\(2\); S.I. 2016/550, art. 2](#)
- C7** S. 42(8) applied (1.8.2016) by [Third Parties \(Rights against Insurers\) Act 2010 \(c. 10\), ss. 13\(1\)\(2\), 21\(2\); S.I. 2016/550, art. 2](#)

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