



Civil Jurisdiction and Judgments Act 1982

1982 CHAPTER 27

PART V

SUPPLEMENTARY AND GENERAL PROVISIONS

Domicile

46 Domicile and seat of the Crown.

- (1) For the purposes of this Act the seat of the Crown (as determined by this section) shall be treated as its domicile.
- (2) The following provisions of this section determine where the Crown has its seat—
 - ^{F1}(a)
 - (b) for the purposes of this Act.
- (3) Subject to the provisions of any Order in Council for the time being in force under subsection (4)—
 - (a) the Crown in right of Her Majesty's government in the United Kingdom has its seat in every part of, and every place in, the United Kingdom;
 - ^{F2}(aa) the Crown in right of the Scottish Administration has its seat in, and in every place in, Scotland;] and
 - (b) the Crown in right of Her Majesty's government in Northern Ireland has its seat in, and in every place in, Northern Ireland.
- (4) Her Majesty may by Order in Council provide that, in the case of proceedings of any specified description against the Crown in right of Her Majesty's government in the United Kingdom, the Crown shall be treated for the purposes of ^{F3}... this Act as having its seat in, and in every place in, a specified part of the United Kingdom and not in any other part of the United Kingdom.
- (5) An Order in Council under subsection (4) may frame a description of proceedings in any way, and in particular may do so by reference to the government department or officer of the Crown against which or against whom they fall to be instituted.

Changes to legislation: Civil Jurisdiction and Judgments Act 1982, Section 46 is up to date with all changes known to be in force on or before 19 February 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (6) Any Order in Council made under this section shall be subject to annulment in pursuance of a resolution of either House of Parliament.
- (7) Nothing in this section applies to the Crown otherwise than in right of Her Majesty's government in the United Kingdom [^{F4}, the Scottish Administration] or Her Majesty's government in Northern Ireland.

Textual Amendments

- F1** S. 46(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), **48(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. 46(3)(aa) inserted (6.5.1999) by 1998 c. 46, s. 125, **Sch. 8 para. 18(2)**(with s. 126(3)); S.I. 1998/3178, art. 2(2), **Sch. 3**
- F3** Words in s. 46(4) omitted (31.12.2020) by virtue of [The Civil Jurisdiction and Judgments \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/479\)](#), regs. 1(1), **48(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)
- F4** Words in s. 46(7) inserted (6.5.1999) by 1998 c. 46, s. 125, **Sch. 8 para. 18(2)** (with s. 126(3)); S.I. 1998/3179, art. 2(2), **Sch. 3**

Modifications etc. (not altering text)

- C1** S. 46 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))
- C2** S. 46(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
- C3** S. 46(3) 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
- C4** S. 46(7) 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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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

- Act applied (with modifications) by [S.I. 2018/1125 reg. 8](#) (This amendment not applied to [legislation.gov.uk](#). S.I. 2018/1125, reg. 8 omitted (31.12.2020) by virtue of Private International Law (Implementation of Agreements) Act 2020 (c. 24), s. 4(3), Sch. 5 para. 4(4))

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- Sch. 8 rule 2(g) words substituted by [2024 asp 2 Sch. 1 para. 15](#)