
STATUTORY INSTRUMENTS

1982 No. 1794

The County Court Rules 1981 (Amendment No. 3) Rules 1982

Matrimonial Homes and Property Act 1981(1)

4. Order 6, rule 5 shall be amended by inserting, after paragraph (1), the following paragraphs:—

“(1A) Where a plaintiff claims as mortgagee possession of land which consists of or includes a dwelling house, he shall state, in his particulars of claim, whether either a land charge of Class F has been registered or a notice or caution pursuant to section 2(7) of the Matrimonial Homes Act 1967 has been entered and, if so, he shall state the name and address of the person whose interest in the house is so protected and shall file a copy of the particulars of claim for service on that person.

(1B) Where particulars of a charge-holder are given pursuant to paragraph (1A), a copy of the summons and a copy of the particulars of claim, together with notice of the action, shall be served on the charge-holder in accordance with Order 7, rule 1.”.