
STATUTORY INSTRUMENTS

1998 No. 3132

The Civil Procedure Rules 1998

PART 10

ACKNOWLEDGMENT OF SERVICE

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Acknowledgment of service

10.1.—(1) This Part deals with the procedure for filing an acknowledgment of service.

(2) Where the claimant uses the procedure set out in Part 8 (alternative procedure for claims) this Part applies subject to the modifications set out in rule 8.3.

(3) A defendant may file an acknowledgment of service if—

- (a) he is unable to file a defence within the period specified in rule 15.4; or
- (b) he wishes to dispute the court's jurisdiction.

(Part 11 sets out the procedure for disputing the court's jurisdiction)

Commencement Information

II [Rule 10.1](#) in force at 26.4.1999, see [Signature](#)

Consequence of not filing an acknowledgment of service

10.2 If—

- (a) a defendant fails to file an acknowledgment of service within the period specified in rule 10.3; and
- (b) does not within that period file a defence in accordance with Part 15 or serve or file an admission in accordance with Part 14,

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*Changes to legislation: There are currently no known outstanding effects for the
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the claimant may obtain default judgment if Part 12 allows it.

Commencement Information

I2 Rule 10.2 in force at 26.4.1999, see [Signature](#)

The period for filing an acknowledgment of service

10.3.—(1) The general rule is that the period for filing an acknowledgment of service is—

- (a) where the defendant is served with a claim form which states that particulars of claim are to follow, 14 days after service of the particulars of claim; and
- (b) in any other case, 14 days after service of the claim form.

(2) The general rule is subject to the following rules—

- (a) [^{F1}rule [^{F2}6.35]] (which specifies how the period for filing an acknowledgment of service is calculated where the claim form is served out of the jurisdiction [^{F3}under rule 6.32 or 6.33]); ^{F4}...
- (b) rule [^{F5}6.12(3)] (which requires the court to specify the period for responding to the particulars of claim when it makes an order under that rule) [^{F6}]; and
- (c) rule [^{F7}6.37(5)] (which requires the court to specify the period within which the defendant may file an acknowledgment of service calculated by reference to [^{F8}Practice Direction 6B] when it makes an order giving permission to serve a claim form out of the jurisdiction.)]

Textual Amendments

- F1** Words in rule 10.3(2)(a) substituted (2.5.2000) by [The Civil Procedure \(Amendment No. 2\) Rules 2000 \(S.I. 2000/940\)](#), rules 1, **6**
- F2** Word in rule 10.3(2)(a) substituted (1.10.2008) by [The Civil Procedure \(Amendment\) Rules 2008 \(S.I. 2008/2178\)](#), rules 1(2), **8(a)(i)(aa)**
- F3** Words in rule 10.3(2)(a) inserted (1.10.2008) by [The Civil Procedure \(Amendment\) Rules 2008 \(S.I. 2008/2178\)](#), rules 1(2), **8(a)(i)(bb)**
- F4** Word in rule 10.3(2)(a) omitted (1.10.2005) by virtue of [The Civil Procedure \(Amendment No.3\) Rules 2005 \(S.I. 2005/2292\)](#), rules 1(c), **17(a)**
- F5** Words in rule 10.3(2)(b) substituted (1.10.2008) by [The Civil Procedure \(Amendment\) Rules 2008 \(S.I. 2008/2178\)](#), rules 1(2), **8(a)(ii)**
- F6** Rule 10.3(2)(c) and word inserted (1.10.2005) by [The Civil Procedure \(Amendment No.3\) Rules 2005 \(S.I. 2005/2292\)](#), rules 1(c), **17(b)**
- F7** Word in rule 10.3(2)(c) substituted (1.10.2008) by [The Civil Procedure \(Amendment\) Rules 2008 \(S.I. 2008/2178\)](#), rules 1(2), **8(a)(iii)(aa)**
- F8** Words in rule 10.3(2)(c) substituted (6.4.2010) by [The Civil Procedure \(Amendment No.2\) Rules 2009 \(S.I. 2009/3390\)](#), rules 1(2), **9**

Commencement Information

I3 Rule 10.3 in force at 26.4.1999, see [Signature](#)

Notice to claimant that defendant has filed an acknowledgment of service

10.4 On receipt of an acknowledgment of service, the court must notify the claimant in writing.

Commencement Information

I4 Rule 10.4 in force at 26.4.1999, see [Signature](#)

Contents of acknowledgment of service

10.5 An acknowledgment of service must—

- (a) be signed by the defendant or [^{F9}the defendant's] legal representative; and
- (b) include the defendant's address for service.

[^{F10}(Rule 6.23 makes provision in relation to addresses for service.)]

[^{F11}(Rule 19.8A modifies this Part where a notice of claim is served under that rule to bind a person not a party to the claim)]

Textual Amendments

F9 Words in rule 10.5(a) substituted (1.10.2008) by [The Civil Procedure \(Amendment\) Rules 2008 \(S.I. 2008/2178\)](#), rules 1(2), **8(b)**

F10 Words in rule 10.5 substituted (6.4.2011) by [The Civil Procedure \(Amendment\) Rules 2011 \(S.I. 2011/88\)](#), rules 1, 7

F11 Words in Pt. 10 inserted (26.3.2001) by [The Civil Procedure \(Amendment\) Rules 2001 \(S.I. 2001/256\)](#), rules 1(a), 6

Commencement Information

I5 Rule 10.5 in force at 26.4.1999, see [Signature](#)

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Changes to legislation:

There are currently no known outstanding effects for the The Civil Procedure Rules 1998, PART 10.