
STATUTORY INSTRUMENTS

1998 No. 3132

The Civil Procedure Rules 1998

[^{F1}PART 10 E+W

ACKNOWLEDGMENT OF SERVICE

[^{F1}Contents of acknowledgment of service E+W

10.5.—(1) An acknowledgment of service must—

- (a) be on the relevant form;
- (b) be signed by the defendant or their legal representative or litigation friend; and
- (c) include the defendant's address for service;
- (d) set out the defendant's name in full. Where the defendant's name has been incorrectly set out in the claim form, it must be correctly set out in the acknowledgment of service followed by the words 'described as' and the incorrect name.

(Rule 6.23 makes provision in relation to addresses for service.)

(Rule [^{F2}19.13] modifies this Part where a notice of claim is served under that rule to bind a person not a party to the claim.)

(2) If two or more defendants to a claim acknowledge service of the claim through the same legal representative at the same time, only one acknowledgment of service is required.

(3) Where a defendant is a company or other corporation, a person holding a senior position in the company or corporation may sign the statement of truth on its behalf but must state the position they hold.

(4) Each of the following is a person holding a senior position—

- (a) in respect of a registered company or corporation, a director, the treasurer, secretary, chief executive, manager or other officer of the company or corporation;
- (b) in respect of a corporation which is not a registered company, in addition to those persons set out in subparagraph (a), the mayor, chairman, president, town clerk or similar officer of the corporation.

(5) Where a defendant is a partnership—

- (a) service must be acknowledged in the name of the partnership on behalf of all persons who were partners at the time when the cause of action accrued; and
- (b) the acknowledgment of service may be signed by any of those partners, or by any person authorised by any of those partners to sign it.

(6) Children and protected parties may acknowledge service only by their litigation friend or legal representative unless the court otherwise orders.]

Changes to legislation: There are currently no known outstanding effects for the
The Civil Procedure Rules 1998, Section 10.5. (See end of Document for details)

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Textual Amendments

- F1** Pt. 10 substituted (with application in accordance with rule 1(2) of the amending S.I.) by [The Civil Procedure \(Amendment\) Rules 2022 \(S.I. 2022/101\)](#), **Sch. 1**
- F2** Word in rule 10.5 substituted (6.4.2023) by [The Civil Procedure \(Amendment\) Rules 2023 \(S.I. 2023/105\)](#), rules 1(1), **8**

Changes to legislation:

There are currently no known outstanding effects for the The Civil Procedure Rules 1998, Section 10.5.