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STATUTORY INSTRUMENTS

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**1998 No. 3132**

**The Civil Procedure Rules 1998**

**PART 2**

**APPLICATION AND INTERPRETATION OF THE RULES**

**Time**

**2.8.**—(1) This rule shows how to calculate any period of time for doing any act which is specified—

- (a) by these Rules;
- (b) by a practice direction; or
- (c) by a judgment or order of the court.

(2) A period of time expressed as a number of days shall be computed as clear days.

(3) In this rule “clear days” means that in computing the number of days—

- (a) the day on which the period begins; and
- (b) if the end of the period is defined by reference to an event, the day on which that event occurs,

are not included.

**Examples**

(i) Notice of an application must be served at least 3 days before the hearing.

An application is to be heard on Friday 20 October.

The last date for service is Monday 16 October.

(ii) The court is to fix a date for a hearing.

The hearing must be at least 28 days after the date of notice.

If the court gives notice of the date of the hearing on 1 October, the earliest date for the hearing is 30 October.

(iii) Particulars of claim must be served within 14 days of service of the claim form.

The claim form is served on 2 October.

The last day for service of the particulars of claim is 16 October.

(4) Where the specified period—

- (a) is 5 days or less; and
- (b) includes—
  - (i) a Saturday or Sunday; or
  - (ii) a Bank Holiday, Christmas Day or Good Friday,that day does not count.

*Status: Point in time view as at 05/07/2018. This version of this provision has been superseded.*

*Changes to legislation: There are currently no known outstanding effects for the  
The Civil Procedure Rules 1998, Section 2.8. (See end of Document for details)*

#### Example

Notice of an application must be served at least 3 days before the hearing.

An application is to be heard on Monday 20 October.

The last date for service is Tuesday 14 October.

- (5) [<sup>F1</sup>Subject to the provisions of Practice Direction 5C, when the period specified—]
- (a) by these Rules or a practice direction; or
  - (b) by any judgment or court order,

for doing any act at the court office ends on a day on which the office is closed, that act shall be in time if done on the next day on which the court office is open.

#### Textual Amendments

- F1** Words in [rule 2.8\(5\)](#) substituted (1.4.2010) by [The Civil Procedure \(Amendment No.2\) Rules 2009 \(S.I. 2009/3390\)](#), [rules 1\(5\)](#), [3\(b\)](#)

#### Modifications etc. (not altering text)

- C1** [Rule 2.8](#) applied (7.10.2001) by [The Railway Administration Order Rules 2001 \(S.I. 2001/3352\)](#), [rules 1.1](#), [9.8\(1\)](#)
- C2** [Rule 2.8](#) applied (1.11.2009) by [The Water Industry \(Special Administration\) Rules 2009 \(S.I. 2009/2477\)](#), [rules 2](#), [121\(1\)](#)
- C3** [Rule 2.8](#) applied (30.6.2011) by [The Investment Bank Special Administration \(England and Wales\) Rules 2011 \(S.I. 2011/1301\)](#), [rules 2](#), [324\(1\)](#) (with [rule 5](#))
- C4** [Rule 2.8](#) applied (31.1.2014) by [The Postal Administration Rules 2013 \(S.I. 2013/3208\)](#), [rules 1](#), [199\(1\)](#) (with [rules 3](#), [210](#))
- C5** [Rule 2.8](#) applied in part (6.4.2017) by [The Insolvency \(England and Wales\) Rules 2016 \(S.I. 2016/1024\)](#), [rule 1](#), [Sch. 5 para. 1](#) (with [rule 3\(3\)](#), [Sch. 2](#))
- C6** [Rule 2.8](#) applied in part (5.7.2018) by [The Housing Administration \(England and Wales\) Rules 2018 \(S.I. 2018/719\)](#), [rules 1.1](#), [7.1\(1\)](#) (with [rule 1.2](#))

#### Commencement Information

- I1** [Rule 2.8](#) in force at 26.4.1999, see [Signature](#)

**Status:**

Point in time view as at 05/07/2018. This version of this provision has been superseded.

**Changes to legislation:**

There are currently no known outstanding effects for the The Civil Procedure Rules 1998, Section 2.8.