
STATUTORY INSTRUMENTS

1998 No. 3132

The Civil Procedure Rules 1998

[^{F1}PART 57

[^{F1}PROBATE, INHERITANCE AND PRESUMPTION OF DEATH]]

[^{F1}SECTION V

Proceedings under the Presumption of Death Act 2013

[^{F1}Giving notice of claim

57.20.—(1) Where the claim is for a declaration of presumed death, the claimant must give notice of the claim by serving a copy of it on the following persons (where not the claimant)—

- (a) the spouse or civil partner of the missing person;
- (b) any parent of the missing person;
- (c) any child of the missing person;
- (d) any sibling of the missing person;
- (e) if there are no persons within sub-paragraphs (a) to (d), the nearest relative of the missing person known to the claimant; and
- (f) any other person (including in particular any insurance company) appearing to the claimant to have an interest in the claim.

(2) Where the claim is for a variation order, the claimant must give notice of the claim by serving a copy of it on the following persons (where not the claimant)—

- (a) the person who was the claimant for the declaration of presumed death or (as the case may be) previous variation order which it is sought to have varied or revoked;
- (b) the spouse or civil partner of the missing person;
- (c) any parent of the missing person;
- (d) any child of the missing person;
- (e) any sibling of the missing person;
- (f) if there are no persons within sub-paragraphs (b) to (e), the nearest relative of the missing person known to the claimant; and
- (g) any other person (including in particular any insurance company) appearing to the claimant to have an interest in the claim.

(3) Notice under paragraph (1)(a) to (f) or paragraph (2)(a) to (g) must be given within 7 days after the claim is issued.]

Status: Point in time view as at 01/10/2014.

Changes to legislation: There are currently no known outstanding effects for the
The Civil Procedure Rules 1998, Section 57.20. (See end of Document for details)

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Textual Amendments

- F1** Pt. 57 Section 5 inserted (1.10.2014) by [The Civil Procedure \(Amendment No. 6\) Rules 2014 \(S.I. 2014/2044\)](#), rule 2, **Sch.**

Status:

Point in time view as at 01/10/2014.

Changes to legislation:

There are currently no known outstanding effects for the The Civil Procedure Rules 1998, Section 57.20.