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STATUTORY INSTRUMENTS

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**1998 No. 3132**

**The Civil Procedure Rules 1998**

**PART 6**

**SERVICE OF DOCUMENTS**

***[<sup>F1</sup>III SPECIAL PROVISIONS ABOUT SERVICE OUT OF THE JURISDICTION***

**[<sup>F1</sup>Application for permission to serve claim form out of jurisdiction**

**6.21.**—(1) An application for permission under rule 6.20 must be supported by written evidence stating—

- (a) the grounds on which the application is made and the paragraph or paragraphs of rule 6.20 relied on;
- (b) that the claimant believes that his claim has a reasonable prospect of success; and
- (c) the defendant's address or, if not known, in what place or country the defendant is, or is likely, to be found.

(2) Where the application is made in respect of a claim referred to in rule 6.20(3), the written evidence must also state the grounds on which the witness believes that there is between the claimant and the person on whom the claim form has been, or will be served, a real issue which it is reasonable for the court to try.

[  
<sup>F2</sup>(2A) The court will not give permission unless satisfied that England and Wales is the proper place in which to bring the claim.]

(3) Where—

- (a) the application is for permission to serve a claim form in Scotland or Northern Ireland; and
- (b) it appears to the court that the claimant may also be entitled to a remedy there, the court, in deciding whether to give permission, shall—
  - (i) compare the cost and convenience of proceeding there or in the jurisdiction; and
  - (ii) (where relevant) have regard to the powers and jurisdiction of the Sheriff court in Scotland or the county courts or courts of summary jurisdiction in Northern Ireland.

(4) An order giving permission to serve a claim form out of the jurisdiction must specify the periods within which the defendant may—

- (a) file an acknowledgment of service;
- (b) file or serve an admission; and
- (c) file a defence.

(Part 11 sets out the procedure by which a defendant may dispute the court's jurisdiction)]

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**Status:** Point in time view as at 02/05/2000. This version of this provision has been superseded.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 6.21. (See end of Document for details)

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### Textual Amendments

- F1** Pt. 6 Section 3 inserted (2.5.2000) by The Civil Procedure (Amendment) Rules 2000 (S.I. 2000/221), rules 1(b), 4(5), **Sch. 1 Pt. 2**
- F2** Rule 6.21(2A) inserted (2.5.2000) by The Civil Procedure (Amendment No. 2) Rules 2000 (S.I. 2000/940), rules 1, **5**

**Status:**

Point in time view as at 02/05/2000. 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 6.21.