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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>Procedure where service is to be through foreign governments, judicial authorities and British Consular authorities**

- 6.26.**—(1) This rule applies where the claimant wishes to serve the claim form through—
- (a) the judicial authorities of the country where the claim form is to be served;
  - (b) a British Consular authority in that country;
  - (c) the authority designated under the Hague Convention in respect of that country; or
  - (d) the government of that country.
- (2) Where this rule applies, the claimant must file—
- (a) a request for service of the claim form by the method in paragraph (1) that he has chosen;
  - (b) a copy of the claim form;
  - (c) any translation required under rule 6.28; and
  - (d) any other documents, copies of documents or translations required by the relevant practice direction.
- (3) When the claimant files the documents specified in paragraph (2), the court officer will—
- (a) seal <sup>(g1)</sup> the copy of the claim form; and
  - (b) forward the documents to the Senior Master.
- (4) The Senior Master will send documents forwarded under this rule—
- (a) where the claim form is being served through the authority designated under the Hague Convention, to that authority; or
  - (b) in any other case, to the Foreign and Commonwealth Office with a request that it arranges for the claim to be served by the method indicated in the request for service filed under paragraph (2) or, where that request indicates alternative methods, by the most convenient method.
- (5) An official certificate which—
- (a) states that the claim form has been served in accordance with this rule either personally, or in accordance with the law of the country in which service was effected;
  - (b) specifies the date on which the claim form was served; and
  - (c) is made by—

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**Status:** Point in time view as at 31/05/2001. This version of this provision has been superseded.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 6.26. (See end of Document for details)

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- (i) a British Consular authority in the country where the claim form was served;
- (ii) the government or judicial authorities in that country; or
- (iii) any other authority designated in respect of that country under the Hague Convention,

shall be evidence of the facts stated in the certificate.

(6) A document purporting to be an official certificate under paragraph (5) shall be treated as such a certificate, unless it is proved not to be.

[  
F2(7) This rule does not apply where service is to be effected in accordance with the Service Regulation.]]

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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 6.26(7) inserted (31.5.2001) by The Civil Procedure (Amendment No. 2) Rules 2001 (S.I. 2001/1388), rules 1(c), 7

**Status:**

Point in time view as at 31/05/2001. 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 6.26.