
STATUTORY INSTRUMENTS

1998 No. 3132

The Civil Procedure Rules 1998

[^{F1}PART 6

SERVICE OF DOCUMENTS

*IV SERVICE OF THE CLAIM FORM AND OTHER
DOCUMENTS OUT OF THE JURISDICTION*

[^{F1}Methods of service - general provisions

6.40.—(1) This rule contains general provisions about the method of service of a claim form or other document on a party out of the jurisdiction.

Where service is to be effected on a party in Scotland or Northern Ireland

(2) Where a party serves any document on a party in Scotland or Northern Ireland, it must be served by a method permitted by Section II (and references to “jurisdiction” in that Section are modified accordingly) or Section III of this Part and rule 6.23(4) applies.

Where service is to be effected on a defendant out of the United Kingdom

(3) Where the claimant wishes to serve a claim form or any other document on a defendant out of the United Kingdom, it may be served—

- (a) by any method provided for by—
 - (i) rule 6.41 (service in accordance with the Service Regulation);
 - (ii) rule 6.42 (service through foreign governments, judicial authorities and British Consular authorities); or
 - (iii) rule 6.44 (service of claim form or other document on a State);
- (b) by any method permitted by a Civil Procedure Convention; or
- (c) by any other method permitted by the law of the country in which it is to be served.

(4) Nothing in paragraph (3) or in any court order authorises or requires any person to do anything which is contrary to the law of the country where the claim form or other document is to be served.

(A list of the countries with whom the United Kingdom has entered into a Civil Procedure Convention, and a link to the relevant Convention, may be found on the Foreign and Commonwealth Office website at—

<http://www.fco.gov.uk/en/about-the-fco/publications/treaties/lists-treaties/bilateral-civil-procedure.>)]

Status: Point in time view as at 31/08/2009. This version of this provision has been superseded.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 6.40. (See end of Document for details)

Textual Amendments

- F1** Pt. 6 substituted (1.10.2008) by [The Civil Procedure \(Amendment\) Rules 2008 \(S.I. 2008/2178\)](#), rule 1(2), [Sch. 1](#)

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