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*Status: Point in time view as at 31/12/2020.*

*Changes to legislation: The Civil Procedure Rules 1998, Section 6.9 is up to date with all changes known to be in force on or before 27 August 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

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## STATUTORY INSTRUMENTS

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# 1998 No. 3132

## The Civil Procedure Rules 1998

### [<sup>F1</sup>PART 6

#### SERVICE OF DOCUMENTS

##### *II SERVICE OF THE CLAIM FORM IN THE JURISDICTION <sup>F1</sup>...*

#### [<sup>F1</sup>Service of the claim form where the defendant does not give an address at which the defendant may be served

**6.9.**—(1) This rule applies where—

- (a) rule 6.5(1) (personal service);
- (b) rule 6.7 (service of claim form on solicitor <sup>F2</sup>...); and
- (c) rule 6.8 (defendant gives address at which the defendant may be served),

do not apply and the claimant does not wish to effect personal service under rule 6.5(2).

(2) Subject to paragraphs (3) to (6), the claim form must be served on the defendant at the place shown in the following table.

<i>Nature of defendant to be served</i>	<i>Place of service</i>
1. Individual	Usual or last known residence.
2. Individual being sued in the name of a business	Usual or last known residence of the individual; or principal or last known place of business.
3. Individual being sued in the business name of a partnership	Usual or last known residence of the individual; or principal or last known place of business of the partnership.
4. Limited liability partnership	Principal office of the partnership; or  any place of business of the partnership within the jurisdiction which has a real connection with the claim.
5. Corporation (other than a company) incorporated in England and Wales	Principal office of the corporation; or

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<i>Nature of defendant to be served</i>	<i>Place of service</i>
	any place within the jurisdiction where the corporation carries on its activities and which has a real connection with the claim.
6. Company registered in England and Wales	Principal office of the company; or  any place of business of the company within the jurisdiction which has a real connection with the claim.
7. Any other company or corporation	Any place within the jurisdiction where the corporation carries on its activities; or  any place of business of the company within the jurisdiction.

(3) Where a claimant has reason to believe that the address of the defendant referred to in entries 1, 2 or 3 in the table in paragraph (2) is an address at which the defendant no longer resides or carries on business, the claimant must take reasonable steps to ascertain the address of the defendant’s current residence or place of business (“current address”).

- (4) Where, having taken the reasonable steps required by paragraph (3), the claimant—
- (a) ascertains the defendant’s current address, the claim form must be served at that address; or
  - (b) is unable to ascertain the defendant’s current address, the claimant must consider whether there is—
    - (i) an alternative place where; or
    - (ii) an alternative method by which, service may be effected.

(5) If, under paragraph (4)(b), there is such a place where or a method by which service may be effected, the claimant must make an application under rule 6.15.

(6) Where paragraph (3) applies, the claimant may serve on the defendant’s usual or last known address in accordance with the table in paragraph (2) where the claimant—

- (a) cannot ascertain the defendant’s current residence or place of business; and
- (b) cannot ascertain an alternative place or an alternative method under paragraph (4)(b).

[<sup>F3</sup>(For service out of the jurisdiction see rules 6.40 to 6.47.)]]

#### 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](#)
- F2** Words in [rule 6.9\(1\)\(b\)](#) omitted (31.12.2020) by virtue of [The Civil Procedure Rules 1998 \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/521\)](#), regs. 1(1), **4(10)** (with reg. 18) (as amended by [S.I. 2020/1493](#), regs. 1(1), 9(2)(b)); 2020 c. 1, Sch. 5 para. 1(1)
- F3** Words in [rule 6.9](#) inserted (6.4.2011) by [The Civil Procedure \(Amendment\) Rules 2011 \(S.I. 2011/88\)](#), rules 1, **4(i)(ii)**

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