
STATUTORY INSTRUMENTS

1998 No. 3132

The Civil Procedure Rules 1998

[^{F1}PART 62

ARBITRATION CLAIMS

I CLAIMS UNDER THE 1996 ACT

[^{F1}Service out of the jurisdiction

62.5.—(1) [^{F2}Subject to paragraph (2A), the] court may give permission to serve an arbitration claim form out of the jurisdiction if—

- (a) the claimant seeks to—
 - (i) challenge; or
 - (ii) appeal on a question of law arising out of, an arbitration award made within the jurisdiction;

(The place where an award is treated as made is determined by section 53 of the 1996 Act.)

- (b) the claim is for an order under section 44 of the 1996 Act; or
- (c) the claimant—
 - (i) seeks some other remedy or requires a question to be decided by the court affecting an arbitration (whether started or not), an arbitration agreement or an arbitration award; and
 - (ii) the seat of the arbitration is or will be within the jurisdiction or the conditions in section 2(4) of the 1996 Act are satisfied.

(2) An application for permission under paragraph (1) must be supported by written evidence—

- (a) stating the grounds on which the application is made; and
- (b) showing in what place or country the person to be served is, or probably may be found.

[
^{F3}(2A) An arbitration claim form falling within (1)(a) to (c) above may be served out of the jurisdiction without permission if—

- (a) the seat of the arbitration is or will be in England and Wales; and
- (b) the respondent is party to the arbitration agreement in question.]

(3) Rules [^{F4}6.34, 6.35 and][^{F5}6.40 to 6.46] apply to the service of an arbitration claim form under paragraph (1) [^{F6}or (2A)].

(4) An order giving permission to serve an arbitration claim form out of the jurisdiction must specify the period within which the defendant may file an acknowledgment of service.]

Status: Point in time view as at 06/04/2023.

*Changes to legislation: There are currently no known outstanding effects for the
The Civil Procedure Rules 1998, Section 62.5. (See end of Document for details)*

Textual Amendments

- F1** Pt. 62 inserted (25.3.2002) by [The Civil Procedure \(Amendment No. 5\) Rules 2001 \(S.I. 2001/4015\)](#), rule 1(c), **Sch. 6**
- F2** Words in rule 62.5(1) substituted (1.10.2022) by [The Civil Procedure \(Amendment No. 2\) Rules 2022 \(S.I. 2022/783\)](#), rules 1(1), **27(a)**
- F3** Rule 62.5(2A) inserted (1.10.2022) by [The Civil Procedure \(Amendment No. 2\) Rules 2022 \(S.I. 2022/783\)](#), rules 1(1), **27(b)**
- F4** Words in rule 62.5(3) inserted (1.10.2022) by [The Civil Procedure \(Amendment No. 2\) Rules 2022 \(S.I. 2022/783\)](#), rules 1(1), **27(c)(i)**
- F5** Words in rule 62.5(3) substituted (1.10.2008) by [The Civil Procedure \(Amendment\) Rules 2008 \(S.I. 2008/2178\)](#), rules 1(2), **34(a)**
- F6** Words in rule 62.5(3) inserted (1.10.2022) by [The Civil Procedure \(Amendment No. 2\) Rules 2022 \(S.I. 2022/783\)](#), rules 1(1), **27(c)(ii)**

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