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STATUTORY INSTRUMENTS

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**1998 No. 3132**

**The Civil Procedure Rules 1998**

[<sup>F1</sup>PART 72

THIRD PARTY DEBT ORDERS

[<sup>F1</sup>Arrangements for debtors in hardship

72.7.—(1) If—

- (a) a judgment debtor is an individual;
  - (b) he is prevented from withdrawing money from his account with a bank or building society as a result of an interim third party debt order; and
  - (c) he or his family is suffering hardship in meeting ordinary living expenses as a result,
- the court may, on an application by the judgment debtor, make an order permitting the bank or building society to make a payment or payments out of the account (“a hardship payment order”).

(2) An application for a hardship payment order may be made—

- (a) in High Court proceedings, at the Royal Courts of Justice or to any district registry; and
- (b) in [<sup>F2</sup>County Court] proceedings, to any [<sup>F3</sup>County Court hearing centre].

(3) A judgment debtor may only apply to one court for a hardship payment order.

(4) An application notice seeking a hardship payment order must—

- (a) include detailed evidence explaining why the judgment debtor needs a payment of the amount requested; and
- (b) be verified by a statement of truth.

(5) Unless the court orders otherwise, the application notice—

- (a) must be served on the judgment creditor at least 2 days before the hearing; but
- (b) does not need to be served on the third party.

(6) A hardship payment order may—

- (a) permit the third party to make one or more payments out of the account; and
- (b) specify to whom the payments may be made.]

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**Textual Amendments**

- F1** Pt. 72 inserted (25.3.2002) by *The Civil Procedure (Amendment No. 4) Rules 2001* (S.I. 2001/2792), rule 1(c), **Sch. 3** (with savings in rule 24 and S.I. 2001/4015, rule 43(2))
- F2** Words in Rules substituted (22.4.2014) by *The Civil Procedure (Amendment) Rules 2014* (S.I. 2014/407), rules 2(1), 4(a)(ii); S.I. 2014/954, art. 2(a)
- F3** Words in rule 72.7(2)(b) substituted (22.4.2014) by *The Civil Procedure (Amendment) Rules 2014* (S.I. 2014/407), rules 2(1), 32(b) (with rule 41(2)-(5)); S.I. 2014/954, art. 2(a)

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**Status:** Point in time view as at 03/10/2016.

**Changes to legislation:** There are currently no known outstanding effects for the  
The Civil Procedure Rules 1998, Section 72.7. (See end of Document for details)

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**Modifications etc. (not altering text)**

**C1** Pt. 72 applied (with modifications) (1.10.2007) by [The Court of Protection Rules 2007 \(S.I. 2007/1744\)](#), rules 1, **184(a)**

**Status:**

Point in time view as at 03/10/2016.

**Changes to legislation:**

There are currently no known outstanding effects for the The Civil Procedure Rules 1998, Section 72.7.