
STATUTORY INSTRUMENTS

1998 No. 3132

The Civil Procedure Rules 1998

[^{F1}PART 73

CHARGING ORDERS, STOP ORDERS AND STOP NOTICES

[^{F1}Scope of this Part and interpretation

[^{F2}73.1.—(1) This Part contains rules which provide for a judgment creditor to enforce a judgment by obtaining—

- (a) a charging order (Section I);
- (b) a stop order (Section II); or
- (c) a stop notice (Section III),

over or against the judgment debtor's interest in an asset.

(2) In this Part—

- (a) “the 1979 Act” means the Charging Orders Act 1979;
- (b) “the 1992 Regulations” means the Council Tax (Administration and Enforcement) Regulations 1992;
- (c) “judgment debtor's home court” means—
 - (i) if the application for a charging order is proceeding in the County Court—
 - (aa) in the case of an application under the 1992 Regulations, the County Court hearing centre for the district in which the relevant dwelling (as defined in regulation 50(3)(b) of those Regulations) is situated; or
 - (bb) in other cases, the County Court hearing centre for the district in which the judgment debtor resides or carries on business; or
 - (ii) if the application for a charging order is proceeding in the High Court, the district registry for the district in which the judgment debtor resides or carries on business or, where there is no such district registry, the Royal Courts of Justice;
- (d) “funds in court” includes securities held in court;
- (e) “interim charging order” means an interim charging order made in accordance with rule 73.4(5), 73.4(6) or 73.6(3);
- (f) “securities” means securities of any of the kinds specified in section 2(2)(b) of the 1979 Act.]]

Textual Amendments

- F1** Pt. 73 inserted (25.3.2002) by [The Civil Procedure \(Amendment No. 4\) Rules 2001 \(S.I. 2001/2792\)](#), [rule 1\(c\)](#), [Sch. 4](#) (with savings in [rule 24](#) and [S.I. 2001/4015](#), [rule 43\(2\)](#))

Status: Point in time view as at 06/04/2016. This version of this provision has been superseded.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 73.1. (See end of Document for details)

F2 Rules 73.1-73.10C substituted for rules 73.1-73.10 (6.4.2016) by [The Civil Procedure \(Amendment\) Rules 2016 \(S.I. 2016/234\)](#), rules 2, 14, **Sch. 1** (with rule 24)

Status:

Point in time view as at 06/04/2016. This version of this provision has been superseded.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 73.1.