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STATUTORY INSTRUMENTS

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**1998 No. 3132**

The Civil Procedure Rules 1998

[<sup>F1</sup>PART 81

APPLICATIONS AND PROCEEDINGS IN  
RELATION TO CONTEMPT OF COURT

[<sup>F1</sup>Service of a contempt application

**81.5.**—(1) Unless the court directs otherwise in accordance with Part 6 and except as provided in paragraph (2), a contempt application and evidence in support must be served on the defendant personally.

(2) Where a legal representative for the defendant is on the record in the proceedings in which, or in connection with which, an alleged contempt is committed—

- (a) the contempt application and evidence in support may be served on the representative for the defendant unless the representative objects in writing within seven days of receipt of the application and evidence in support;
- (b) if the representative does not object in writing, they must at once provide to the defendant a copy of the contempt application and the evidence supporting it and take all reasonable steps to ensure the defendant understands them;
- (c) if the representative objects in writing, the issue of service shall be referred to a judge of the court dealing with the contempt application; and the judge shall consider written representations from the parties and determine the issue on the papers, without (unless the judge directs otherwise) an oral hearing.]

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**Textual Amendments**

- F1** Pt. 81 substituted (1.10.2020) by [The Civil Procedure \(Amendment No. 3\) Rules 2020 \(S.I. 2020/747\)](#), rule 1(1), [Sch.](#)

**Status:**

Point in time view as at 29/07/2021.

**Changes to legislation:**

There are currently no known outstanding effects for the The Civil Procedure Rules 1998, Section 81.5.