
STATUTORY INSTRUMENTS

1998 No. 3132

The Civil Procedure Rules 1998

[^{F1}PART 83

Writs and Warrants – General Provisions

SECTION II

Writs and Warrants

[^{F1}Writs and warrants other than those conferring a power to use the TCG procedure – duration and priority

83.3.—(1) This rule applies to—

- (a) writs of execution;
- (b) warrants of possession; and
- (c) warrants of delivery,

other than writs of execution or warrants that confer a power to use the TCG procedure.

(2) A writ or warrant to which this rule applies is referred to in this rule as a “relevant writ or warrant”, “relevant writ” or “relevant warrant” as appropriate.

(3) Subject to paragraph (4), for the purposes of execution, a writ or warrant will be valid for the period of 12 months beginning with the date of its issue.

(4) The court may extend the relevant writ or warrant from time to time for a period of 12 months at any one time.

(5) If the application is made before the expiry of the period of 12 months, the period of extension will begin on the day after the expiry.

(6) If the application is made after the expiry of the period of 12 months, any period of extension will begin on any day after the expiry that the court may allow.

(7) Before a relevant writ that has been extended is executed—

- (a) the court will seal the writ; or
- (b) the applicant for the extension order must serve a notice sealed as described in subparagraph (a) on the relevant enforcement officer informing that officer of the making of the extension order and the date of that order.

(8) In relation to a relevant warrant, the court will endorse the warrant with a note of the renewal or extension.

(9) Irrespective of whether it has been extended under paragraph (4)—

- (a) the priority of a relevant writ will be determined by reference to the time it is originally received by the person who is under a duty to endorse it; and

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The Civil Procedure Rules 1998, Section 83.3. (See end of Document for details)*

- (b) the priority of a relevant warrant will be determined by reference to the date on which it was originally issued.
- (10) The production of the following will be evidence that the relevant writ or warrant has been extended—
 - (a) the writ sealed in accordance with paragraph (7)(a);
 - (b) the notice sealed in accordance with paragraph (7)(b);
 - (c) the warrant endorsed in accordance with paragraph (8).
- (11) If, during the validity of a relevant writ, a person makes an application under Part 85 in relation to an execution under that writ, the validity of the writ will be extended until the expiry of 12 months from the conclusion of the proceedings under Part 85.]

Textual Amendments

F1 Pt. 83 inserted (6.4.2014) by [The Civil Procedure \(Amendment\) Rules 2014 \(S.I. 2014/407\)](#), rule 2(3), [Sch.](#) (with rule 41)

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