
STATUTORY INSTRUMENTS

1998 No. 3132

The Civil Procedure Rules 1998

[^{F1}PART 83

Writs and Warrants – General Provisions

SECTION III

Writs

[^{F1}Issue of writs of execution and writs of control

83.9.—(1) In this rule “the appropriate office” means—

- (a) where the proceedings in which execution is to issue are in a District Registry, that Registry;
- (b) where the proceedings are in the Principal Registry of the Family Division, that Registry;
- (c) where the proceedings are Admiralty proceedings or commercial proceedings which are not in a District Registry, the Admiralty and Commercial Registry;
- (d) in any other case, the Central Office of the Senior Courts.

(2) Issue of a writ of execution or control takes place on its being sealed by a court officer of the appropriate office.

(3) Before a writ is issued a request for its issue must be filed.

(4) The request must be signed—

- (a) by the person entitled to execution, if acting in person; or
- (b) by or on behalf of the solicitor of the person entitled to execution.

(5) The writ will not be sealed unless at the time it is presented for sealing—

(a) the person presenting the writ produces—

- (i) the judgment or order on which the writ is to issue, or an office copy of it;
- (ii) where permission was required for the writ to be issued, the order granting such permission or evidence of the granting of it;
- (iii) where judgment on failure to acknowledge service has been entered against a State, as defined in section 14 of the State Immunity Act 1978, evidence that the State has been served in accordance with rule 40.10 and that the judgment has taken effect; and

(b) the court officer authorised to seal it is satisfied that the period, if any, specified in the judgment or order for the payment of any money or the doing of any other act under the judgment or order has expired.

(6) Every writ of execution or control will bear the date of the day on which it is issued.]

Status: Point in time view as at 06/04/2014. This version of this provision has been superseded.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 83.9. (See end of Document for details)

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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](#))

Status:

Point in time view as at 06/04/2014. 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 83.9.