

SCHEDULE 1

Rule 50(3)

Modifications etc. (not altering text)

- C1** Sch. 1, Sch. 2 applied (with modifications) (30.12.2005) by [The Family Procedure \(Adoption\) Rules 2005 \(S.I. 2005/2795\)](#), **rule 5(5)**
- C2** Sch. 1 applied (with modifications) (6.4.2011) by [The Family Procedure Rules 2010 \(S.I. 2010/2955\)](#), **rule 33.1(2)** (with [rules 2.1](#), [33.1\(1\)](#))

Commencement Information

- I1** Sch. 1 in force at 26.4.1999, see [Signature](#)

RSC ORDER 10

SERVICE OF ORIGINATING PROCESS: GENERAL PROVISIONS

Service of claim form in certain actions for possession of land

^{F1}**Rule 4**

Textual Amendments

- F1** Sch. 1 RSC Order 10 revoked (15.10.2001) by [The Civil Procedure \(Amendment\) Rules 2001 \(S.I. 2001/256\)](#), [rule 1\(d\)](#), **Sch. 3**

RSC ORDER 11

SERVICE OF PROCESS, ETC., OUT OF THE JURISDICTION

Principal cases in which service of claim form out of jurisdiction is permissible

^{F2}**Rule 1**

Textual Amendments

- F2** Sch. 1 RSC Order 11 revoked (2.5.2000) by [The Civil Procedure \(Amendment\) Rules 2000 \(S.I. 2000/221\)](#), [rule 1\(b\)](#), **Sch. 8** (with [rule 39\(b\)](#)) (as amended by [S.I. 2000/940](#), [rules 1, 2](#))

The period for filing an acknowledgment of service or filing or serving an admission where the claim form is served under rule 1(2)

^{F2}**Rule1A**

Textual Amendments

- F2** Sch. 1 RSC Order 11 revoked (2.5.2000) by [The Civil Procedure \(Amendment\) Rules 2000 \(S.I. 2000/221\)](#), [rule 1\(b\)](#), **Sch. 8** (with [rule 39\(b\)](#)) (as amended by [S.I. 2000/940](#), [rules 1, 2](#))

Status: Point in time view as at 06/04/2016.
Changes to legislation: There are currently no known outstanding effects for the
The Civil Procedure Rules 1998, SCHEDULE 1. (See end of Document for details)

The period for filing a defence where the claim form is served under rule 1(2)

F2 Rule1B

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Textual Amendments
F2 Sch. 1 RSC Order 11 revoked (2.5.2000) by The Civil Procedure (Amendment) Rules 2000 (S.I. 2000/221), rule 1(b), **Sch. 8** (with rule 39(b)) (as amended by S.I. 2000/940, rules 1, 2)

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Textual Amendments
F2 Sch. 1 RSC Order 11 revoked (2.5.2000) by The Civil Procedure (Amendment) Rules 2000 (S.I. 2000/221), rule 1(b), **Sch. 8** (with rule 39(b)) (as amended by S.I. 2000/940, rules 1, 2)

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Textual Amendments
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Textual Amendments
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Textual Amendments
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Status: Point in time view as at 06/04/2016.

Changes to legislation: There are currently no known outstanding effects for the The Civil Procedure Rules 1998, SCHEDULE 1. (See end of Document for details)

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Textual Amendments

F2 Sch. 1 RSC Order 11 revoked (2.5.2000) by The Civil Procedure (Amendment) Rules 2000 (S.I. 2000/221), rule 1(b), **Sch. 8** (with rule 39(b)) (as amended by S.I. 2000/940, rules 1, 2)

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Textual Amendments

F2 Sch. 1 RSC Order 11 revoked (2.5.2000) by The Civil Procedure (Amendment) Rules 2000 (S.I. 2000/221), rule 1(b), **Sch. 8** (with rule 39(b)) (as amended by S.I. 2000/940, rules 1, 2)

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Textual Amendments

F2 Sch. 1 RSC Order 11 revoked (2.5.2000) by The Civil Procedure (Amendment) Rules 2000 (S.I. 2000/221), rule 1(b), **Sch. 8** (with rule 39(b)) (as amended by S.I. 2000/940, rules 1, 2)

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Textual Amendments

F2 Sch. 1 RSC Order 11 revoked (2.5.2000) by The Civil Procedure (Amendment) Rules 2000 (S.I. 2000/221), rule 1(b), **Sch. 8** (with rule 39(b)) (as amended by S.I. 2000/940, rules 1, 2)

F³RSC ORDER 15

CAUSES OF ACTION, COUNTERCLAIMS AND PARTIES

Textual Amendments

F3 Sch. 1 RSC Order 15 revoked (2.12.2002) by The Civil Procedure (Amendment) Rules 2002 (S.I. 2002/2058), rule 1(b), **Sch. 10**

Proceedings against estates

F³Rule 6A

Change of parties by reason of death, etc.

F³Rule 7

*Status: Point in time view as at 06/04/2016.
Changes to legislation: There are currently no known outstanding effects for the
The Civil Procedure Rules 1998, SCHEDULE 1. (See end of Document for details)*

Failure to proceed after death of party

^{F3}Rule 9

Relator actions

^{F3}Rule 11

Representative proceedings

^{F3}Rule 12

Derivative claims

^{F3}Rule 12A

Representation of interested persons who cannot be ascertained, etc.

^{F3}Rule 13

Notice of claim to non—parties

^{F3}Rule 13A

Representation of beneficiaries by trustees, etc.

^{F3}Rule 14

Representation of deceased person interested in proceedings

^{F3}Rule 15

Declaratory judgment

^{F3}Rule 16

Conduct of proceedings

^{F3}Rule 17

^{F4}RSC ORDER 17
INTERPLEADER

Textual Amendments
^{F4} Sch. 1 RSC Order 17 omitted (6.4.2014) by virtue of [The Civil Procedure \(Amendment\) Rules 2014 \(S.I. 2014/407\)](#), rules 2(3), **37(a)** (with rule 41)

Entitlement to relief by way of interpleader

^{F4}**Rule 1**

Claim to goods, etc., taken in execution

^{F4}**Rule 2**

Claim in respect of goods protected from seizure

^{F4}**Rule 2A**

Mode of application

^{F4}**Rule 3**

To whom Sheriff may apply for relief

^{F4}**Rule 4**

Powers of Court hearing claim

^{F4}**Rule 5**

Power to order sale of goods taken in execution

^{F4}**Rule 6**

Power to stay proceedings

^{F4}**Rule 7**

Other powers

^{F4}**Rule 8**

One order in several proceedings

^{F4}**Rule 9**

Disclosure

^{F4}**Rule 10**

Trial of interpleader issue

^{F4}**Rule 11**

Status: Point in time view as at 06/04/2016.

Changes to legislation: There are currently no known outstanding effects for the The Civil Procedure Rules 1998, SCHEDULE 1. (See end of Document for details)

RSC ORDER 23 SECURITY FOR COSTS

Order to apply to High Court and County Court

^{F5}Rule A1

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Textual Amendments

F5 Sch.1 RSC Order 23 revoked (2.5.2000) by The Civil Procedure (Amendment) Rules 2000 (S.I. 2000/221), rule 1(b), **Sch. 8** (with rule 39(b)) (as amended by S.I. 2000/940, rules 1, 2)

Security for costs of proceedings, etc.

^{F5}Rule 1

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Textual Amendments

F5 Sch.1 RSC Order 23 revoked (2.5.2000) by The Civil Procedure (Amendment) Rules 2000 (S.I. 2000/221), rule 1(b), **Sch. 8** (with rule 39(b)) (as amended by S.I. 2000/940, rules 1, 2)

Manner of giving security

^{F5}Rule 2

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Textual Amendments

F5 Sch.1 RSC Order 23 revoked (2.5.2000) by The Civil Procedure (Amendment) Rules 2000 (S.I. 2000/221), rule 1(b), **Sch. 8** (with rule 39(b)) (as amended by S.I. 2000/940, rules 1, 2)

Saving for enactments

^{F5}Rule 3

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Textual Amendments

F5 Sch.1 RSC Order 23 revoked (2.5.2000) by The Civil Procedure (Amendment) Rules 2000 (S.I. 2000/221), rule 1(b), **Sch. 8** (with rule 39(b)) (as amended by S.I. 2000/940, rules 1, 2)

^{F6}RSC ORDER 30

RECEIVERS

Textual Amendments

^{F6} Sch. 1 RSC Order 30 revoked (2.12.2002) by [The Civil Procedure \(Amendment\) Rules 2002 \(S.I. 2002/2058\)](#), rule 1(b), **Sch. 10**

Order to apply to High Court and County Court

^{F6}Rule A1

Application for receiver and injunction

^{F6}Rule 1

Giving of security by receiver

^{F6}Rule 2

Remuneration of receiver

^{F6}Rule 3

Service of order and notice

^{F6}Rule 4

Receiver's accounts

^{F6}Rule 5

Payment into Court by receiver

^{F6}Rule 6

Default by receiver

^{F6}Rule 7

Directions to receivers

^{F6}Rule 8

*Status: Point in time view as at 06/04/2016.
Changes to legislation: There are currently no known outstanding effects for the
The Civil Procedure Rules 1998, SCHEDULE 1. (See end of Document for details)*

^{F7}RSC ORDER 31

SALES, ETC. OF LAND BY ORDER OF COURT: CONVEYANCING COUNSEL OF THE COURT

Textual Amendments

^{F7} Sch. 1 RSC Order 31 revoked (2.5.2000) by [The Civil Procedure \(Amendment\) Rules 2000 \(S.I. 2000/221\)](#), rule 1(b), [Sch. 8](#) (with [rule 39\(b\)](#)) (as amended by [S.I. 2000/940](#), rules 1, 2)

Order to apply to High Court and County Court

^{F7}Rule A1

I. Sales, etc. of Land by Order of Court

Power to order sale of land

^{F7}Rule 1

Manner of carrying out sale

^{F7}Rule 2

Certifying result of sale

^{F7}Rule 3

Mortgage, exchange or partition under order of the Court

^{F7}Rule 4

II. Conveyancing Counsel of the Court

Reference of matters to conveyancing counsel of Court

^{F7}Rule 5

Objection to conveyancing counsel’s opinion

^{F7}Rule 6

Obtaining counsel’s opinion on reference

^{F7}Rule 8

^{F8}RSC ORDER 44

PROCEEDINGS UNDER JUDGMENTS AND ORDERS: CHANCERY DIVISION

Textual Amendments

F8 Sch. 1 RSC Order 44 revoked (2.12.2002) by [The Civil Procedure \(Amendment\) Rules 2002 \(S.I. 2002/2058\)](#), rule 1(b), **Sch. 10**

Application to Orders

F8Rule 1

Service of notice of judgment on person not a party

F8Rule 2

Directions by the Court

F8Rule 3

Application of rules 5 to 8

F8Rule 4

Advertisements for creditors and other claimants

F8Rule 5

Examination of claims

F8Rule 6

Adjudication on claims

F8Rule 7

Notice of adjudication

F8Rule 8

Interest on debts

F8Rule 9

Interest on legacies

F8Rule 10

Master's order

F8Rule 11

*Status: Point in time view as at 06/04/2016.
Changes to legislation: There are currently no known outstanding effects for the
The Civil Procedure Rules 1998, SCHEDULE 1. (See end of Document for details)*

Appeal against Master’s order

^{F8}**Rule 12**

^{F9}**RSC ORDER 45**

ENFORCEMENT OF JUDGMENTS AND ORDERS: GENERAL

Textual Amendments

^{F9} Sch. 1 RSC Order 45 omitted (6.4.2014) by virtue of [The Civil Procedure \(Amendment\) Rules 2014 \(S.I. 2014/407\)](#), rules 2(3), **37(b)** (with rule 41)

Interpretation

^{F9}**Rule 1A.**

Enforcement of judgment, etc., for payment of money

^{F9}**Rule 1**

Notice of seizure

^{F9}**Rule 2**

Enforcement of judgment for possession of land

^{F9}**Rule 3**

Enforcement of judgment for delivery of goods

^{F9}**Rule 4**

Enforcement of judgment to do or abstain from doing any act

^{F9}**Rule 5**

Judgment, etc. requiring act to be done: order fixing time for doing it

^{F9}**Rule 6**

Service of copy of judgment, etc., prerequisite to enforcement under r.5

^{F9}**Rule 7**

Court may order act to be done at expense of disobedient party

^{F9}**Rule 8**

Execution by or against person not being a party

^{F9}**Rule 9**

Conditional judgment: waiver

^{F9}**Rule 10**

Matters occurring after judgment: stay of execution, etc.

^{F9}**Rule 11**

Forms of writs

^{F9}**Rule 12**

Enforcement of judgments and orders for recovery of money, etc.

^{F9}**Rule 13**

Enforcement of decisions of Value Added Tax Tribunals

^{F9}**Rule 14**

^{F10}**RSC ORDER 46**

WRITS OF EXECUTION: GENERAL

Textual Amendments

^{F10} **Sch. 1** RSC Order 46 omitted (6.4.2014) by virtue of [The Civil Procedure \(Amendment\) Rules 2014 \(S.I. 2014/407\)](#), rules 2(3), **37(c)** (with rule 41)

Definition

^{F10}**Rule 1**

When permission to issue any writ of execution is necessary

^{F10}**Rule 2**

Permission required for issue of writ in aid of other writ

^{F10}**Rule 3**

Application for permission to issue writ

^{F10}**Rule 4**

*Status: Point in time view as at 06/04/2016.
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The Civil Procedure Rules 1998, SCHEDULE 1. (See end of Document for details)*

Application for permission to issue writ of sequestration

^{F10}**Rule 5**

Issue of writ of execution

^{F10}**Rule 6**

Duration and renewal of writ of execution

^{F10}**Rule 8**

Return to writ of execution

^{F10}**Rule 9**

^{F11}**RSC ORDER 47**
WRITS OF FIERI FACIAS

Textual Amendments
^{F11} [Sch. 1 RSC Order 47](#) omitted (6.4.2014) by virtue of [The Civil Procedure \(Amendment\) Rules 2014 \(S.I. 2014/407\)](#), rules 2(3), **37(d)** (with rule 41)

Power to stay execution by writ of fieri facias

^{F11}**Rule 1**

Two or more writs of fieri facias

^{F11}**Rule 2**

Separate writs to enforce payment of costs, etc.

^{F11}**Rule 3**

No expenses of execution in certain cases

^{F11}**Rule 4**

Writ of fieri facias de bonis ecclesiasticis, etc.

^{F11}**Rule 5**

Order for sale otherwise than by auction

^{F11}**Rule 6**

RSC ORDER 48

EXAMINATION OF JUDGMENT DEBTOR, ETC.

Order for examination of judgment debtor

^{F12}Rule 1

Textual Amendments

F12 Sch. 1 RSC Order 48 revoked (25.3.2002) by [The Civil Procedure \(Amendment No. 4\) Rules 2001 \(S.I. 2001/2792\)](#), rule 1(c), **Sch. 5** (with savings in rule 24 and S.I. 2001/4015, rules 1(c), **43(2)**)

Examination of party liable to satisfy other judgment

^{F12}Rule 2

Textual Amendments

F12 Sch. 1 RSC Order 48 revoked (25.3.2002) by [The Civil Procedure \(Amendment No. 4\) Rules 2001 \(S.I. 2001/2792\)](#), rule 1(c), **Sch. 5** (with savings in rule 24 and S.I. 2001/4015, rules 1(c), **43(2)**)

Examiner to make record of debtor's statement

^{F12}Rule 3

Textual Amendments

F12 Sch. 1 RSC Order 48 revoked (25.3.2002) by [The Civil Procedure \(Amendment No. 4\) Rules 2001 \(S.I. 2001/2792\)](#), rule 1(c), **Sch. 5** (with savings in rule 24 and S.I. 2001/4015, rules 1(c), **43(2)**)

RSC ORDER 49

GARNISHEE PROCEEDINGS

Attachment of debt due to judgment debtor

^{F13}Rule 1

Textual Amendments

F13 Sch. 1 RSC Order 49 revoked (25.3.2002) by [The Civil Procedure \(Amendment No. 4\) Rules 2001 \(S.I. 2001/2792\)](#), rule 1(c), **Sch. 5** (with savings in rule 24 and S.I. 2001/4015, rules 1(c), **43(2)**)

Application for order

^{F13}Rule 2

*Status: Point in time view as at 06/04/2016.
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The Civil Procedure Rules 1998, SCHEDULE 1. (See end of Document for details)*

Textual Amendments

F13 Sch. 1 RSC Order 49 revoked (25.3.2002) by [The Civil Procedure \(Amendment No. 4\) Rules 2001 \(S.I. 2001/2792\)](#), rule 1(c), **Sch. 5** (with savings in [rule 24](#) and [S.I. 2001/4015](#), rules 1(c), **43(2)**)

Service and effect of order to show cause

^{F13}**Rule 3**

Textual Amendments

F13 Sch. 1 RSC Order 49 revoked (25.3.2002) by [The Civil Procedure \(Amendment No. 4\) Rules 2001 \(S.I. 2001/2792\)](#), rule 1(c), **Sch. 5** (with savings in [rule 24](#) and [S.I. 2001/4015](#), rules 1(c), **43(2)**)

No appearance or dispute of liability by garnishee

^{F13}**Rule 4**

Textual Amendments

F13 Sch. 1 RSC Order 49 revoked (25.3.2002) by [The Civil Procedure \(Amendment No. 4\) Rules 2001 \(S.I. 2001/2792\)](#), rule 1(c), **Sch. 5** (with savings in [rule 24](#) and [S.I. 2001/4015](#), rules 1(c), **43(2)**)

Dispute of liability by garnishee

^{F13}**Rule 5**

Textual Amendments

F13 Sch. 1 RSC Order 49 revoked (25.3.2002) by [The Civil Procedure \(Amendment No. 4\) Rules 2001 \(S.I. 2001/2792\)](#), rule 1(c), **Sch. 5** (with savings in [rule 24](#) and [S.I. 2001/4015](#), rules 1(c), **43(2)**)

Claims of third persons

^{F13}**Rule 6**

Textual Amendments

F13 Sch. 1 RSC Order 49 revoked (25.3.2002) by [The Civil Procedure \(Amendment No. 4\) Rules 2001 \(S.I. 2001/2792\)](#), rule 1(c), **Sch. 5** (with savings in [rule 24](#) and [S.I. 2001/4015](#), rules 1(c), **43(2)**)

Discharge of garnishee

^{F13}**Rule 8**

Textual Amendments

F13 Sch. 1 RSC Order 49 revoked (25.3.2002) by The Civil Procedure (Amendment No. 4) Rules 2001 (S.I. 2001/2792), rule 1(c), **Sch. 5** (with savings in rule 24 and S.I. 2001/4015, rules 1(c), **43(2)**)

Money in Court

F13 **Rule 9**

Textual Amendments

F13 Sch. 1 RSC Order 49 revoked (25.3.2002) by The Civil Procedure (Amendment No. 4) Rules 2001 (S.I. 2001/2792), rule 1(c), **Sch. 5** (with savings in rule 24 and S.I. 2001/4015, rules 1(c), **43(2)**)

Costs

F13 **Rule 10**

Textual Amendments

F13 Sch. 1 RSC Order 49 revoked (25.3.2002) by The Civil Procedure (Amendment No. 4) Rules 2001 (S.I. 2001/2792), rule 1(c), **Sch. 5** (with savings in rule 24 and S.I. 2001/4015, rules 1(c), **43(2)**)

RSC ORDER 50

CHARGING ORDERS, STOP ORDERS, ETC.

Order imposing a charge on a beneficial interest

F14 **Rule 1**

Textual Amendments

F14 Sch. 1 RSC Order 50 revoked (25.3.2002) by The Civil Procedure (Amendment No. 4) Rules 2001 (S.I. 2001/2792), rule 1(c), **Sch. 5** (with savings in rule 24 and S.I. 2001/4015, rules 1(c), **43(2)**)

Service of notice of order to show cause

F14 **Rule 2**

Textual Amendments

F14 Sch. 1 RSC Order 50 revoked (25.3.2002) by The Civil Procedure (Amendment No. 4) Rules 2001 (S.I. 2001/2792), rule 1(c), **Sch. 5** (with savings in rule 24 and S.I. 2001/4015, rules 1(c), **43(2)**)

Status: Point in time view as at 06/04/2016.
Changes to legislation: There are currently no known outstanding effects for the
The Civil Procedure Rules 1998, SCHEDULE 1. (See end of Document for details)

Order made on further considerations

^{F14}**Rule 3**

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Textual Amendments
F14 Sch. 1 RSC Order 50 revoked (25.3.2002) by The Civil Procedure (Amendment No. 4) Rules 2001 (S.I. 2001/2792), rule 1(c), Sch. 5 (with savings in rule 24 and S.I. 2001/4015, rules 1(c), 43(2))

Order imposing a charge on an interest held by a trustee

^{F14}**Rule 4**

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Textual Amendments
F14 Sch. 1 RSC Order 50 revoked (25.3.2002) by The Civil Procedure (Amendment No. 4) Rules 2001 (S.I. 2001/2792), rule 1(c), Sch. 5 (with savings in rule 24 and S.I. 2001/4015, rules 1(c), 43(2))

Effect of order in relation to securities out of Court

^{F14}**Rule 5**

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Textual Amendments
F14 Sch. 1 RSC Order 50 revoked (25.3.2002) by The Civil Procedure (Amendment No. 4) Rules 2001 (S.I. 2001/2792), rule 1(c), Sch. 5 (with savings in rule 24 and S.I. 2001/4015, rules 1(c), 43(2))

Effect of order in relation to funds in Court

^{F14}**Rule 6**

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Textual Amendments
F14 Sch. 1 RSC Order 50 revoked (25.3.2002) by The Civil Procedure (Amendment No. 4) Rules 2001 (S.I. 2001/2792), rule 1(c), Sch. 5 (with savings in rule 24 and S.I. 2001/4015, rules 1(c), 43(2))

Discharge, etc., of charging order

^{F14}**Rule 7**

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Textual Amendments
F14 Sch. 1 RSC Order 50 revoked (25.3.2002) by The Civil Procedure (Amendment No. 4) Rules 2001 (S.I. 2001/2792), rule 1(c), Sch. 5 (with savings in rule 24 and S.I. 2001/4015, rules 1(c), 43(2))

Jurisdiction of Master, etc., to grant injunction

^{F14}**Rule 9**

Textual Amendments

F14 Sch. 1 RSC Order 50 revoked (25.3.2002) by The Civil Procedure (Amendment No. 4) Rules 2001 (S.I. 2001/2792), rule 1(c), Sch. 5 (with savings in rule 24 and S.I. 2001/4015, rules 1(c), 43(2))

Enforcement of charging order by sale

F14 **Rule 9A**

Textual Amendments

F14 Sch. 1 RSC Order 50 revoked (25.3.2002) by The Civil Procedure (Amendment No. 4) Rules 2001 (S.I. 2001/2792), rule 1(c), Sch. 5 (with savings in rule 24 and S.I. 2001/4015, rules 1(c), 43(2))

Funds in Court: stop order

F14 **Rule 10**

Textual Amendments

F14 Sch. 1 RSC Order 50 revoked (25.3.2002) by The Civil Procedure (Amendment No. 4) Rules 2001 (S.I. 2001/2792), rule 1(c), Sch. 5 (with savings in rule 24 and S.I. 2001/4015, rules 1(c), 43(2))

Securities not in Court: stop notice

F14 **Rule 11**

Textual Amendments

F14 Sch. 1 RSC Order 50 revoked (25.3.2002) by The Civil Procedure (Amendment No. 4) Rules 2001 (S.I. 2001/2792), rule 1(c), Sch. 5 (with savings in rule 24 and S.I. 2001/4015, rules 1(c), 43(2))

Effect of stop notice

F14 **Rule 12**

Textual Amendments

F14 Sch. 1 RSC Order 50 revoked (25.3.2002) by The Civil Procedure (Amendment No. 4) Rules 2001 (S.I. 2001/2792), rule 1(c), Sch. 5 (with savings in rule 24 and S.I. 2001/4015, rules 1(c), 43(2))

Amendment of stop notice

F14 **Rule 13**

Status: Point in time view as at 06/04/2016.
Changes to legislation: There are currently no known outstanding effects for the
The Civil Procedure Rules 1998, SCHEDULE 1. (See end of Document for details)

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Textual Amendments
F14 Sch. 1 RSC Order 50 revoked (25.3.2002) by [The Civil Procedure \(Amendment No. 4\) Rules 2001 \(S.I. 2001/2792\)](#), rule 1(c), [Sch. 5](#) (with savings in [rule 24](#) and [S.I. 2001/4015](#), rules 1(c), **43(2)**)

Withdrawal etc. of stop notice

F14 **Rule 14**

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Textual Amendments
F14 Sch. 1 RSC Order 50 revoked (25.3.2002) by [The Civil Procedure \(Amendment No. 4\) Rules 2001 \(S.I. 2001/2792\)](#), rule 1(c), [Sch. 5](#) (with savings in [rule 24](#) and [S.I. 2001/4015](#), rules 1(c), **43(2)**)

Order prohibiting transfer, etc. of securities

F14 **Rule 15**

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Textual Amendments
F14 Sch. 1 RSC Order 50 revoked (25.3.2002) by [The Civil Procedure \(Amendment No. 4\) Rules 2001 \(S.I. 2001/2792\)](#), rule 1(c), [Sch. 5](#) (with savings in [rule 24](#) and [S.I. 2001/4015](#), rules 1(c), **43(2)**)

F15 **RSC ORDER 51**

RECEIVERS: EQUITABLE EXECUTION

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Textual Amendments
F15 Sch. 1 RSC Order 51 revoked (2.12.2002) by [The Civil Procedure \(Amendment\) Rules 2002 \(S.I. 2002/2058\)](#), rule 1(b), [Sch. 10](#)

Order to apply to High Court and County Courts

F15 **Rule A1.**

Appointment of receiver by way of equitable execution

F15 **Rule 1**

Masters etc. may appoint receiver

F15 **Rule 2**

Application of rules as to appointment of receiver, etc.

F15 **Rule 3**

RSC ORDER 52

COMMITTAL

Committal for contempt of court

^{F16}Rule 1

Textual Amendments

F16 Sch. 1 RSC Order 52 omitted (1.10.2012) by virtue of [The Civil Procedure \(Amendment No.2\) Rules 2012 \(S.I. 2012/2208\)](#), rules 1, **18(c)** (with rule 20)

Application to Divisional Court

^{F16}Rule 2

Textual Amendments

F16 Sch. 1 RSC Order 52 omitted (1.10.2012) by virtue of [The Civil Procedure \(Amendment No.2\) Rules 2012 \(S.I. 2012/2208\)](#), rules 1, **18(c)** (with rule 20)

Application for order after leave to apply granted

^{F16}Rule 3

Textual Amendments

F16 Sch. 1 RSC Order 52 omitted (1.10.2012) by virtue of [The Civil Procedure \(Amendment No.2\) Rules 2012 \(S.I. 2012/2208\)](#), rules 1, **18(c)** (with rule 20)

Application to Court other than Divisional Court

^{F16}Rule 4

Textual Amendments

F16 Sch. 1 RSC Order 52 omitted (1.10.2012) by virtue of [The Civil Procedure \(Amendment No.2\) Rules 2012 \(S.I. 2012/2208\)](#), rules 1, **18(c)** (with rule 20)

Saving for power to commit without application for purpose

^{F16}Rule 5

Textual Amendments

F16 Sch. 1 RSC Order 52 omitted (1.10.2012) by virtue of [The Civil Procedure \(Amendment No.2\) Rules 2012 \(S.I. 2012/2208\)](#), rules 1, **18(c)** (with rule 20)

Status: Point in time view as at 06/04/2016.
Changes to legislation: There are currently no known outstanding effects for the
The Civil Procedure Rules 1998, SCHEDULE 1. (See end of Document for details)

Provisions as to hearing

^{F16}**Rule 6**

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Textual Amendments
F16 Sch. 1 RSC Order 52 omitted (1.10.2012) by virtue of [The Civil Procedure \(Amendment No.2\) Rules 2012 \(S.I. 2012/2208\)](#), rules 1, **18(c)** (with rule 20)

Power to suspend execution of committal order

^{F16}**Rule 7**

.....
Textual Amendments
F16 Sch. 1 RSC Order 52 omitted (1.10.2012) by virtue of [The Civil Procedure \(Amendment No.2\) Rules 2012 \(S.I. 2012/2208\)](#), rules 1, **18(c)** (with rule 20)

Warrant for arrest

^{F16}**Rule 7A.**

.....
Textual Amendments
F16 Sch. 1 RSC Order 52 omitted (1.10.2012) by virtue of [The Civil Procedure \(Amendment No.2\) Rules 2012 \(S.I. 2012/2208\)](#), rules 1, **18(c)** (with rule 20)

Discharge of person committed

Rule 8 ^{F16}

(RSC Order 46, rule 5 contains rules relating to writs of sequestration)

.....
Textual Amendments
F16 Sch. 1 RSC Order 52 omitted (1.10.2012) by virtue of [The Civil Procedure \(Amendment No.2\) Rules 2012 \(S.I. 2012/2208\)](#), rules 1, **18(c)** (with rule 20)

Saving for other powers

^{F16}**Rule 9**

.....
Textual Amendments
F16 Sch. 1 RSC Order 52 omitted (1.10.2012) by virtue of [The Civil Procedure \(Amendment No.2\) Rules 2012 \(S.I. 2012/2208\)](#), rules 1, **18(c)** (with rule 20)

^{F17}RSC ORDER 53 APPLICATIONS FOR JUDICIAL REVIEW

Textual Amendments

F17 Sch. 1 RSC Order 53 revoked (2.10.2000) by [The Civil Procedure \(Amendment No. 4\) Rules 2000 \(S.I. 2000/2092\)](#), rules 1, **23** (with rule 30)

Cases appropriate for application for judicial review

Rule 1 ^{F17}

Joinder of claims for relief

Rule 2 ^{F17}

Grant of leave to apply for judicial review

Rule 3 ^{F17}

Delay in applying for relief

Rule 4 ^{F17}

Mode of applying for judicial review

Rule 5 ^{F17}

Statements and evidence

Rule 6 ^{F17}

Claim for damages

Rule 7 ^{F17}

Application for disclosure, further information, cross—examination, etc.

Rule 8 ^{F17}

Hearing of application for judicial review

Rule 9 ^{F17}

Saving for person acting in obedience to mandamus

Rule 10 ^{F17}

Proceedings for disqualification of member of local authority

Rule 11 ^{F17}

Status: Point in time view as at 06/04/2016.
Changes to legislation: There are currently no known outstanding effects for the
The Civil Procedure Rules 1998, SCHEDULE 1. (See end of Document for details)

Consolidation of applications

Rule 12 ^{F17}

Appeal from Judge’s order

Rule 13 ^{F17}

Meaning of “Court”

Rule 14 ^{F17}

^{F18}RSC ORDER 54

APPLICATIONS FOR WRIT OF HABEAS CORPUS

Textual Amendments
F18 Sch. 1 RSC Order 54 omitted (6.4.2015) by virtue of [The Civil Procedure \(Amendment No. 8\) Rules 2014 \(S.I. 2014/3299\)](#), rules 2(c), **16**

Application for writ of habeas corpus ad subjiciendum

Rule 1

Power of Court to whom application made without notice being served on any other party

Rule 2

Copies of witness statement or affidavits to be supplied

Rule 3

Power to order release of person restrained

Rule 4

Directions as to return to writ

Rule 5

Service of writ and notice

Rule 6

Return to the writ

Rule 7

Procedure at hearing of writ

Rule 8

Bringing up prisoner to give evidence, etc.

Rule 9

Form of writ

Rule 10

Applications relative to the custody, etc., of child

Rule 11

RSC ORDER 55

**APPEALS TO HIGH COURT FROM COURT,
TRIBUNAL OR PERSON: GENERAL**

Application

^{F19}**Rule 1**

Textual Amendments

F19 Sch. 1 RSC Order 55 revoked (2.5.2000) by The Civil Procedure (Amendment) Rules 2000 (S.I. 2000/221), rule 1(b), **Sch. 8** (with rule 39(b)) (as amended by S.I. 2000/940, rules 1, 2)

Court to hear appeal

^{F19}**Rule 2.**

Textual Amendments

F19 Sch. 1 RSC Order 55 revoked (2.5.2000) by The Civil Procedure (Amendment) Rules 2000 (S.I. 2000/221), rule 1(b), **Sch. 8** (with rule 39(b)) (as amended by S.I. 2000/940, rules 1, 2)

Bringing of appeal

^{F19}**Rule 3**

Textual Amendments

F19 Sch. 1 RSC Order 55 revoked (2.5.2000) by The Civil Procedure (Amendment) Rules 2000 (S.I. 2000/221), rule 1(b), **Sch. 8** (with rule 39(b)) (as amended by S.I. 2000/940, rules 1, 2)

Service of notice of appeal and entry of appeal

^{F19}**Rule 4**

Status: Point in time view as at 06/04/2016.
Changes to legislation: There are currently no known outstanding effects for the
The Civil Procedure Rules 1998, SCHEDULE 1. (See end of Document for details)

Textual Amendments

F19 Sch. 1 RSC Order 55 revoked (2.5.2000) by The Civil Procedure (Amendment) Rules 2000 (S.I. 2000/221), rule 1(b), **Sch. 8** (with rule 39(b)) (as amended by S.I. 2000/940, rules 1, 2)

Date of hearing of appeal

F19 **Rule 5**

Textual Amendments

F19 Sch. 1 RSC Order 55 revoked (2.5.2000) by The Civil Procedure (Amendment) Rules 2000 (S.I. 2000/221), rule 1(b), **Sch. 8** (with rule 39(b)) (as amended by S.I. 2000/940, rules 1, 2)

Amendment of grounds of appeal, etc.

F19 **Rule 6**

Textual Amendments

F19 Sch. 1 RSC Order 55 revoked (2.5.2000) by The Civil Procedure (Amendment) Rules 2000 (S.I. 2000/221), rule 1(b), **Sch. 8** (with rule 39(b)) (as amended by S.I. 2000/940, rules 1, 2)

Interlocutory applications

F19 **Rule 6A**

Textual Amendments

F19 Sch. 1 RSC Order 55 revoked (2.5.2000) by The Civil Procedure (Amendment) Rules 2000 (S.I. 2000/221), rule 1(b), **Sch. 8** (with rule 39(b)) (as amended by S.I. 2000/940, rules 1, 2)

Powers of Court hearing appeal

F19 **Rule 7**

Textual Amendments

F19 Sch. 1 RSC Order 55 revoked (2.5.2000) by The Civil Procedure (Amendment) Rules 2000 (S.I. 2000/221), rule 1(b), **Sch. 8** (with rule 39(b)) (as amended by S.I. 2000/940, rules 1, 2)

Right of Minister, etc., to appear and be heard

F19 **Rule 8**

Textual Amendments

F19 Sch. 1 RSC Order 55 revoked (2.5.2000) by The Civil Procedure (Amendment) Rules 2000 (S.I. 2000/221), rule 1(b), **Sch. 8** (with rule 39(b)) (as amended by S.I. 2000/940, rules 1, 2)

RSC ORDER 56

APPEALS, ETC., TO HIGH COURT BY CASE STATED: GENERAL

Appeals from the Crown Court by case stated

^{F20}**Rule 1**

Textual Amendments

F20 Sch. 1 RSC Order 56 revoked (2.5.2000) by The Civil Procedure (Amendment) Rules 2000 (S.I. 2000/221), rule 1(b), **Sch. 8** (with rule 39(b)) (as amended by S.I. 2000/940, rules 1, 2)

Notice of entry of appeal

^{F20}**Rule 4**

Textual Amendments

F20 Sch. 1 RSC Order 56 revoked (2.5.2000) by The Civil Procedure (Amendment) Rules 2000 (S.I. 2000/221), rule 1(b), **Sch. 8** (with rule 39(b)) (as amended by S.I. 2000/940, rules 1, 2)

Appeals relating to affiliation proceedings and care proceedings

^{F20}**Rule 4A**

Textual Amendments

F20 Sch. 1 RSC Order 56 revoked (2.5.2000) by The Civil Procedure (Amendment) Rules 2000 (S.I. 2000/221), rule 1(b), **Sch. 8** (with rule 39(b)) (as amended by S.I. 2000/940, rules 1, 2)

Appeal from Magistrates' Court by case stated

^{F20}**Rule 5**

Textual Amendments

F20 Sch. 1 RSC Order 56 revoked (2.5.2000) by The Civil Procedure (Amendment) Rules 2000 (S.I. 2000/221), rule 1(b), **Sch. 8** (with rule 39(b)) (as amended by S.I. 2000/940, rules 1, 2)

Status: Point in time view as at 06/04/2016.
Changes to legislation: There are currently no known outstanding effects for the
The Civil Procedure Rules 1998, SCHEDULE 1. (See end of Document for details)

Case stated by Magistrates' Court: filing case, etc.

^{F20}**Rule 6**

Textual Amendments

F20 Sch. 1 RSC Order 56 revoked (2.5.2000) by The Civil Procedure (Amendment) Rules 2000 (S.I. 2000/221), rule 1(b), **Sch. 8** (with rule 39(b)) (as amended by S.I. 2000/940, rules 1, 2)

Case stated by Ministers, tribunal, etc.

^{F20}**Rule 7**

Textual Amendments

F20 Sch. 1 RSC Order 56 revoked (2.5.2000) by The Civil Procedure (Amendment) Rules 2000 (S.I. 2000/221), rule 1(b), **Sch. 8** (with rule 39(b)) (as amended by S.I. 2000/940, rules 1, 2)

Application for order to state a case

^{F20}**Rule 8**

Textual Amendments

F20 Sch. 1 RSC Order 56 revoked (2.5.2000) by The Civil Procedure (Amendment) Rules 2000 (S.I. 2000/221), rule 1(b), **Sch. 8** (with rule 39(b)) (as amended by S.I. 2000/940, rules 1, 2)

Signing and service of case

^{F20}**Rule 9**

Textual Amendments

F20 Sch. 1 RSC Order 56 revoked (2.5.2000) by The Civil Procedure (Amendment) Rules 2000 (S.I. 2000/221), rule 1(b), **Sch. 8** (with rule 39(b)) (as amended by S.I. 2000/940, rules 1, 2)

Proceedings for determination of case

^{F20}**Rule 10**

Textual Amendments

F20 Sch. 1 RSC Order 56 revoked (2.5.2000) by The Civil Procedure (Amendment) Rules 2000 (S.I. 2000/221), rule 1(b), **Sch. 8** (with rule 39(b)) (as amended by S.I. 2000/940, rules 1, 2)

Amendment of case

^{F20}**Rule 11**

Status: Point in time view as at 06/04/2016.

Changes to legislation: There are currently no known outstanding effects for the The Civil Procedure Rules 1998, SCHEDULE 1. (See end of Document for details)

Textual Amendments

F20 Sch. 1 RSC Order 56 revoked (2.5.2000) by The Civil Procedure (Amendment) Rules 2000 (S.I. 2000/221), rule 1(b), **Sch. 8** (with rule 39(b)) (as amended by S.I. 2000/940, rules 1, 2)

Right of Minister to appear and be heard

F20 **Rule 12**

Textual Amendments

F20 Sch. 1 RSC Order 56 revoked (2.5.2000) by The Civil Procedure (Amendment) Rules 2000 (S.I. 2000/221), rule 1(b), **Sch. 8** (with rule 39(b)) (as amended by S.I. 2000/940, rules 1, 2)

Extradition

F20 **Rule 12A**

Textual Amendments

F20 Sch. 1 RSC Order 56 revoked (2.5.2000) by The Civil Procedure (Amendment) Rules 2000 (S.I. 2000/221), rule 1(b), **Sch. 8** (with rule 39(b)) (as amended by S.I. 2000/940, rules 1, 2)

Interlocutory applications

F20 **Rule 13**

Textual Amendments

F20 Sch. 1 RSC Order 56 revoked (2.5.2000) by The Civil Procedure (Amendment) Rules 2000 (S.I. 2000/221), rule 1(b), **Sch. 8** (with rule 39(b)) (as amended by S.I. 2000/940, rules 1, 2)

F21 **RSC ORDER 57 DIVISIONAL COURT
PROCEEDINGS, ETC.: SUPPLEMENTARY PROVISIONS**

Textual Amendments

F21 Sch. 1 RSC Order 57 revoked (2.10.2000) by The Civil Procedure (Amendment No. 4) Rules 2000 (S.I. 2000/2092), rules 1, **24**

Application

Rule 1 **F21**

*Status: Point in time view as at 06/04/2016.
Changes to legislation: There are currently no known outstanding effects for the
The Civil Procedure Rules 1998, SCHEDULE 1. (See end of Document for details)*

Entry of claims

Rule 2 ^{F21}

Issue, etc., of claim form

Rule 3 ^{F21}

Filing of witness statement or affidavits and drawing up of orders

Rule 4 ^{F21}

Issue of writs

Rule 5 ^{F21}

Custody of records

Rule 6 ^{F21}

RSC ORDER 58

APPEALS FROM MASTERS, REGISTRARS, REFEREES AND JUDGES

Appeals from certain decisions of Masters, etc. to Judge sitting in private

^{F22}**Rule 1**

Textual Amendments
F22 Sch. 1 RSC Order 58 revoked (2.5.2000) by The Civil Procedure (Amendment) Rules 2000 (S.I. 2000/221), rule 1(b), **Sch. 8** (with rule 39(b)) (as amended by S.I. 2000/940, rules 1, 2)

Appeals from certain decisions of Masters, etc., to Court of Appeal

^{F22}**Rule 2**

Textual Amendments
F22 Sch. 1 RSC Order 58 revoked (2.5.2000) by The Civil Procedure (Amendment) Rules 2000 (S.I. 2000/221), rule 1(b), **Sch. 8** (with rule 39(b)) (as amended by S.I. 2000/940, rules 1, 2)

Appeals from District Judges

^{F22}**Rule 3**

Textual Amendments
F22 Sch. 1 RSC Order 58 revoked (2.5.2000) by The Civil Procedure (Amendment) Rules 2000 (S.I. 2000/221), rule 1(b), **Sch. 8** (with rule 39(b)) (as amended by S.I. 2000/940, rules 1, 2)

Appeals from Judge of the Technology and Construction Court

^{F22}Rule 4

Textual Amendments

F22 Sch. 1 RSC Order 58 revoked (2.5.2000) by The Civil Procedure (Amendment) Rules 2000 (S.I. 2000/221), rule 1(b), **Sch. 8** (with rule 39(b)) (as amended by S.I. 2000/940, rules 1, 2)

RSC ORDER 59

APPEALS TO THE COURT OF APPEAL

Application of Order to appeals

^{F23}Rule 1

Textual Amendments

F23 Sch. 1 RSC Order 59 revoked (2.5.2000) by The Civil Procedure (Amendment) Rules 2000 (S.I. 2000/221), rule 1(b), **Sch. 8** (with rule 39(b)) (as amended by S.I. 2000/940, rules 1, 2)

Classes of case where permission to appeal is required

^{F23}Rule 1B

Textual Amendments

F23 Sch. 1 RSC Order 59 revoked (2.5.2000) by The Civil Procedure (Amendment) Rules 2000 (S.I. 2000/221), rule 1(b), **Sch. 8** (with rule 39(b)) (as amended by S.I. 2000/940, rules 1, 2)

Application of Order to applications for new trial

^{F23}Rule 2

Textual Amendments

F23 Sch. 1 RSC Order 59 revoked (2.5.2000) by The Civil Procedure (Amendment) Rules 2000 (S.I. 2000/221), rule 1(b), **Sch. 8** (with rule 39(b)) (as amended by S.I. 2000/940, rules 1, 2)

Interpretation

^{F23}Rule 2A

Textual Amendments

F23 Sch. 1 RSC Order 59 revoked (2.5.2000) by The Civil Procedure (Amendment) Rules 2000 (S.I. 2000/221), rule 1(b), **Sch. 8** (with rule 39(b)) (as amended by S.I. 2000/940, rules 1, 2)

*Status: Point in time view as at 06/04/2016.
Changes to legislation: There are currently no known outstanding effects for the
The Civil Procedure Rules 1998, SCHEDULE 1. (See end of Document for details)*

General Provisions as to Appeals

Who may exercise the powers of the Court of Appeal

^{F23} **Rule 2B**

.....
Textual Amendments
F23 Sch. 1 RSC Order 59 revoked (2.5.2000) by The Civil Procedure (Amendment) Rules 2000 (S.I. 2000/221), rule 1(b), **Sch. 8** (with rule 39(b)) (as amended by S.I. 2000/940, rules 1, 2)

Variation of time

^{F23} **Rule 2C**

.....
Textual Amendments
F23 Sch. 1 RSC Order 59 revoked (2.5.2000) by The Civil Procedure (Amendment) Rules 2000 (S.I. 2000/221), rule 1(b), **Sch. 8** (with rule 39(b)) (as amended by S.I. 2000/940, rules 1, 2)

Notice of appeal

^{F23} **Rule 3**

.....
Textual Amendments
F23 Sch. 1 RSC Order 59 revoked (2.5.2000) by The Civil Procedure (Amendment) Rules 2000 (S.I. 2000/221), rule 1(b), **Sch. 8** (with rule 39(b)) (as amended by S.I. 2000/940, rules 1, 2)

Time for appealing

^{F23} **Rule 4**

.....
Textual Amendments
F23 Sch. 1 RSC Order 59 revoked (2.5.2000) by The Civil Procedure (Amendment) Rules 2000 (S.I. 2000/221), rule 1(b), **Sch. 8** (with rule 39(b)) (as amended by S.I. 2000/940, rules 1, 2)

Setting down appeal

^{F23} **Rule 5**

.....
Textual Amendments
F23 Sch. 1 RSC Order 59 revoked (2.5.2000) by The Civil Procedure (Amendment) Rules 2000 (S.I. 2000/221), rule 1(b), **Sch. 8** (with rule 39(b)) (as amended by S.I. 2000/940, rules 1, 2)

Respondent's notice

^{F23}Rule 6

Textual Amendments

F23 Sch. 1 RSC Order 59 revoked (2.5.2000) by The Civil Procedure (Amendment) Rules 2000 (S.I. 2000/221), rule 1(b), **Sch. 8** (with rule 39(b)) (as amended by S.I. 2000/940, rules 1, 2)

Amendment of notice of appeal and respondent's notice

^{F23}Rule 7

Textual Amendments

F23 Sch. 1 RSC Order 59 revoked (2.5.2000) by The Civil Procedure (Amendment) Rules 2000 (S.I. 2000/221), rule 1(b), **Sch. 8** (with rule 39(b)) (as amended by S.I. 2000/940, rules 1, 2)

Directions of the Court as to service

^{F23}Rule 8

Textual Amendments

F23 Sch. 1 RSC Order 59 revoked (2.5.2000) by The Civil Procedure (Amendment) Rules 2000 (S.I. 2000/221), rule 1(b), **Sch. 8** (with rule 39(b)) (as amended by S.I. 2000/940, rules 1, 2)

Documents to be filed by appellant

^{F23}Rule 9

Textual Amendments

F23 Sch. 1 RSC Order 59 revoked (2.5.2000) by The Civil Procedure (Amendment) Rules 2000 (S.I. 2000/221), rule 1(b), **Sch. 8** (with rule 39(b)) (as amended by S.I. 2000/940, rules 1, 2)

General powers of the Court

^{F23}Rule 10

Textual Amendments

F23 Sch. 1 RSC Order 59 revoked (2.5.2000) by The Civil Procedure (Amendment) Rules 2000 (S.I. 2000/221), rule 1(b), **Sch. 8** (with rule 39(b)) (as amended by S.I. 2000/940, rules 1, 2)

Powers of the Court as to new trials

^{F23}Rule 11

*Status: Point in time view as at 06/04/2016.
Changes to legislation: There are currently no known outstanding effects for the
The Civil Procedure Rules 1998, SCHEDULE 1. (See end of Document for details)*

Textual Amendments

F23 Sch. 1 RSC Order 59 revoked (2.5.2000) by The Civil Procedure (Amendment) Rules 2000 (S.I. 2000/221), rule 1(b), **Sch. 8** (with rule 39(b)) (as amended by S.I. 2000/940, rules 1, 2)

Evidence on appeal

F23 **Rule 12**

Textual Amendments

F23 Sch. 1 RSC Order 59 revoked (2.5.2000) by The Civil Procedure (Amendment) Rules 2000 (S.I. 2000/221), rule 1(b), **Sch. 8** (with rule 39(b)) (as amended by S.I. 2000/940, rules 1, 2)

Non—disclosure of payment into Court

F23 **Rule 12A**

Textual Amendments

F23 Sch. 1 RSC Order 59 revoked (2.5.2000) by The Civil Procedure (Amendment) Rules 2000 (S.I. 2000/221), rule 1(b), **Sch. 8** (with rule 39(b)) (as amended by S.I. 2000/940, rules 1, 2)

Stay of execution, etc.

F23 **Rule 13**

Textual Amendments

F23 Sch. 1 RSC Order 59 revoked (2.5.2000) by The Civil Procedure (Amendment) Rules 2000 (S.I. 2000/221), rule 1(b), **Sch. 8** (with rule 39(b)) (as amended by S.I. 2000/940, rules 1, 2)

Applications to Court of Appeal

F23 **Rule 14**

Textual Amendments

F23 Sch. 1 RSC Order 59 revoked (2.5.2000) by The Civil Procedure (Amendment) Rules 2000 (S.I. 2000/221), rule 1(b), **Sch. 8** (with rule 39(b)) (as amended by S.I. 2000/940, rules 1, 2)

Extension of time

F23 **Rule 15**

Status: Point in time view as at 06/04/2016.

Changes to legislation: There are currently no known outstanding effects for the The Civil Procedure Rules 1998, SCHEDULE 1. (See end of Document for details)

Textual Amendments

F23 Sch. 1 RSC Order 59 revoked (2.5.2000) by The Civil Procedure (Amendment) Rules 2000 (S.I. 2000/221), rule 1(b), **Sch. 8** (with rule 39(b)) (as amended by S.I. 2000/940, rules 1, 2)

Special Provisions as to Particular Appeals

Appeal against decree nisi

F23 **Rule 16**

Textual Amendments

F23 Sch. 1 RSC Order 59 revoked (2.5.2000) by The Civil Procedure (Amendment) Rules 2000 (S.I. 2000/221), rule 1(b), **Sch. 8** (with rule 39(b)) (as amended by S.I. 2000/940, rules 1, 2)

Appeal against order for revocation of patent

F23 **Rule 17**

Textual Amendments

F23 Sch. 1 RSC Order 59 revoked (2.5.2000) by The Civil Procedure (Amendment) Rules 2000 (S.I. 2000/221), rule 1(b), **Sch. 8** (with rule 39(b)) (as amended by S.I. 2000/940, rules 1, 2)

Appeal from Patents Court on appeal from Comptroller

F23 **Rule 18**

Textual Amendments

F23 Sch. 1 RSC Order 59 revoked (2.5.2000) by The Civil Procedure (Amendment) Rules 2000 (S.I. 2000/221), rule 1(b), **Sch. 8** (with rule 39(b)) (as amended by S.I. 2000/940, rules 1, 2)

Appeal from county court

F23 **Rule 19**

Textual Amendments

F23 Sch. 1 RSC Order 59 revoked (2.5.2000) by The Civil Procedure (Amendment) Rules 2000 (S.I. 2000/221), rule 1(b), **Sch. 8** (with rule 39(b)) (as amended by S.I. 2000/940, rules 1, 2)

Appeals in cases of contempt of court

F23 **Rule 20**

*Status: Point in time view as at 06/04/2016.
Changes to legislation: There are currently no known outstanding effects for the
The Civil Procedure Rules 1998, SCHEDULE 1. (See end of Document for details)*

Textual Amendments

F23 Sch. 1 RSC Order 59 revoked (2.5.2000) by The Civil Procedure (Amendment) Rules 2000 (S.I. 2000/221), rule 1(b), **Sch. 8** (with rule 39(b)) (as amended by S.I. 2000/940, rules 1, 2)

Appeals from Social Security Commissioners

^{F23}**Rule 21**

Textual Amendments

F23 Sch. 1 RSC Order 59 revoked (2.5.2000) by The Civil Procedure (Amendment) Rules 2000 (S.I. 2000/221), rule 1(b), **Sch. 8** (with rule 39(b)) (as amended by S.I. 2000/940, rules 1, 2)

Appeals from Value Added Tax Tribunals

^{F23}**Rule 22**

Textual Amendments

F23 Sch. 1 RSC Order 59 revoked (2.5.2000) by The Civil Procedure (Amendment) Rules 2000 (S.I. 2000/221), rule 1(b), **Sch. 8** (with rule 39(b)) (as amended by S.I. 2000/940, rules 1, 2)

Dismissal of patient’s appeal by consent

^{F23}**Rule 23**

Textual Amendments

F23 Sch. 1 RSC Order 59 revoked (2.5.2000) by The Civil Procedure (Amendment) Rules 2000 (S.I. 2000/221), rule 1(b), **Sch. 8** (with rule 39(b)) (as amended by S.I. 2000/940, rules 1, 2)

Appeals from Immigration Appeals Tribunal

^{F23}**Rule 24**

Textual Amendments

F23 Sch. 1 RSC Order 59 revoked (2.5.2000) by The Civil Procedure (Amendment) Rules 2000 (S.I. 2000/221), rule 1(b), **Sch. 8** (with rule 39(b)) (as amended by S.I. 2000/940, rules 1, 2)

Appeals from Special Commissioners

^{F23}**Rule 25**

Status: Point in time view as at 06/04/2016.

Changes to legislation: There are currently no known outstanding effects for the The Civil Procedure Rules 1998, SCHEDULE 1. (See end of Document for details)

Textual Amendments

F23 Sch. 1 RSC Order 59 revoked (2.5.2000) by The Civil Procedure (Amendment) Rules 2000 (S.I. 2000/221), rule 1(b), **Sch. 8** (with rule 39(b)) (as amended by S.I. 2000/940, rules 1, 2)

RSC ORDER 60

APPEALS TO COURT OF APPEAL FROM THE RESTRICTIVE PRACTICES COURT

Appeal to be brought by notice of appeal

^{F24}**Rule 1**

Textual Amendments

F24 Sch. 1 RSC Order 60 revoked (2.5.2000) by The Civil Procedure (Amendment) Rules 2000 (S.I. 2000/221), rule 1(b), **Sch. 8** (with rule 39(b)) (as amended by S.I. 2000/940, rules 1, 2)

Service of notice of appeal

^{F24}**Rule 2**

Textual Amendments

F24 Sch. 1 RSC Order 60 revoked (2.5.2000) by The Civil Procedure (Amendment) Rules 2000 (S.I. 2000/221), rule 1(b), **Sch. 8** (with rule 39(b)) (as amended by S.I. 2000/940, rules 1, 2)

Entry, etc. of appeal

^{F24}**Rule 3**

Textual Amendments

F24 Sch. 1 RSC Order 60 revoked (2.5.2000) by The Civil Procedure (Amendment) Rules 2000 (S.I. 2000/221), rule 1(b), **Sch. 8** (with rule 39(b)) (as amended by S.I. 2000/940, rules 1, 2)

Powers of Court of Appeal

^{F24}**Rule 4**

Textual Amendments

F24 Sch. 1 RSC Order 60 revoked (2.5.2000) by The Civil Procedure (Amendment) Rules 2000 (S.I. 2000/221), rule 1(b), **Sch. 8** (with rule 39(b)) (as amended by S.I. 2000/940, rules 1, 2)

*Status: Point in time view as at 06/04/2016.
Changes to legislation: There are currently no known outstanding effects for the
The Civil Procedure Rules 1998, SCHEDULE 1. (See end of Document for details)*

RSC ORDER 61

APPEALS FROM TRIBUNALS TO COURT OF APPEAL BY CASE STATED

Statement of case by Lands Tribunal

^{F25} **Rule 1**

.....
Textual Amendments

F25 Sch. 1 RSC Order 61 revoked (2.5.2000) by The Civil Procedure (Amendment) Rules 2000 (S.I. 2000/221), rule 1(b), **Sch. 8** (with rule 39(b)) (as amended by S.I. 2000/940, rules 1, 2)

Statement of case by other tribunals

^{F25} **Rule 2**

.....
Textual Amendments

F25 Sch. 1 RSC Order 61 revoked (2.5.2000) by The Civil Procedure (Amendment) Rules 2000 (S.I. 2000/221), rule 1(b), **Sch. 8** (with rule 39(b)) (as amended by S.I. 2000/940, rules 1, 2)

Proceedings on case stated

^{F25} **Rule 3**

.....
Textual Amendments

F25 Sch. 1 RSC Order 61 revoked (2.5.2000) by The Civil Procedure (Amendment) Rules 2000 (S.I. 2000/221), rule 1(b), **Sch. 8** (with rule 39(b)) (as amended by S.I. 2000/940, rules 1, 2)

^{F26}RSC ORDER 62

COSTS

.....
Textual Amendments

F26 Sch. 1 RSC Order 62 revoked (1.4.2005) by The Civil Procedure (Amendment No. 4) Rules 2004 (S.I. 2004/3419), rules 1, **17(a)**

APPENDIX 3

Fixed Costs

^{F26} ...

Part II

Costs on judgment without trial for possession of land

^{F26}**1**

^{F26}**2**

Part III

Miscellaneous

^{F26} ...

RSC ORDER 64

SITTINGS, VACATIONS AND OFFICE HOURS

Divisional Court business during vacation

^{F27}**Rule 4**

Textual Amendments

^{F27} **Sch. 1** RSC Order 64 omitted (1.10.2012) by virtue of [The Civil Procedure \(Amendment No.2\) Rules 2012 \(S.I. 2012/2208\)](#), rules 1, **18(d)** (with rule 20)

^{F28}**RSC ORDER 51**

RECEIVERS: EQUITABLE EXECUTION

Textual Amendments

^{F28} **Sch. 1** RSC Order 69 revoked (2.12.2002) by [The Civil Procedure \(Amendment\) Rules 2002 \(S.I. 2002/2058\)](#), rule 1(b), **Sch. 10**

Order to apply to High Court and County Courts

^{F28}**Rule A1**

Appointment of receiver by way of equitable execution

^{F28}**Rule 1**

Masters etc. may appoint receiver

^{F28}**Rule 2**

Status: Point in time view as at 06/04/2016.
Changes to legislation: There are currently no known outstanding effects for the
The Civil Procedure Rules 1998, SCHEDULE 1. (See end of Document for details)

Application of rules as to appointment of receiver, etc.

^{F28}**Rule 3**

^{F29}**RSC ORDER 70**

Application of rules as to appointment of receiver, etc.

Textual Amendments
^{F29} **Sch. 1** RSC Order 70 revoked (2.12.2002) by [The Civil Procedure \(Amendment\) Rules 2002 \(S.I. 2002/2058\)](#), rule 1(b), **Sch. 10**

Interpretation and exercise of jurisdiction

^{F29}**Rule 1**

Application for order

^{F29}**Rule 2**

Application by Treasury Solicitor in certain cases

^{F29}**Rule 3.**

Person to take and manner of taking examination

^{F29}**Rule 4**

Dealing with deposition

^{F29}**Rule 5**

Claim to privilege

^{F29}**Rule 6**

^{F30}**RSC ORDER 71**

**RECIPROCAL ENFORCEMENT OF JUDGMENTS AND ENFORCEMENT OF
EUROPEAN COMMUNITY JUDGMENTS AND RECOMMENDATIONS ETC.
UNDER THE MERCHANT SHIPPING (LINER CONFERENCES) ACT 1982**

Textual Amendments
^{F30} **Sch. 1** RSC Order 71 revoked (2.12.2002) by [The Civil Procedure \(Amendment\) Rules 2002 \(S.I. 2002/2058\)](#), rule 1(b), **Sch. 10**

***I. Reciprocal Enforcement: the Administration of Justice Act 1920(2)
and the Foreign Judgments (Reciprocal Enforcement) Act 1933***

Powers under relevant Acts exercisable by judge or master

^{F30}**Rule 1**

Application for registration

^{F30}**Rule 2**

Evidence in support of application

^{F30}**Rule 3**

Security for costs

^{F30}**Rule 4**

Order for registration

^{F30}**Rule 5**

Register of judgments

^{F30}**Rule 6**

Notice of registration

^{F30}**Rule 7**

Application to set aside registration

^{F30}**Rule 9**

Issue of execution

^{F30}**Rule 10**

Determination of certain questions

^{F30}**Rule 11**

Rules to have effect subject to Orders in Council

^{F30}**Rule 12**

Certified copy of High Court judgment

^{F30}**Rule 13**

*Status: Point in time view as at 06/04/2016.
Changes to legislation: There are currently no known outstanding effects for the
The Civil Procedure Rules 1998, SCHEDULE 1. (See end of Document for details)*

II. Enforcement of European Community Judgments

Interpretation

^{F30}**Rule 15**

Functions under Order in Council exercisable by judge or master

^{F30}**Rule 16**

Application for registration of Community judgment, etc.

^{F30}**Rule 17**

Evidence in support of application

^{F30}**Rule 18**

Register of judgments and orders

^{F30}**Rule 19**

Notice of registration

^{F30}**Rule 20**

Issue of execution

^{F30}**Rule 21**

Application to vary or cancel registration

^{F30}**Rule 22**

Application for registration of suspension order

^{F30}**Rule 23**

Application for enforcement of Euratom inspection order

^{F30}**Rule 24**

III. Reciprocal Enforcement: the Civil Jurisdiction and Judgments Act 1982

Interpretation

^{F30}**Rule 25**

Assignment of business and exercise of powers

^{F30}**Rule 26**

Application for registration

^{F30}**Rule 27**

Evidence in support of application

^{F30}**Rule 28**

Security for costs

^{F30}**Rule 29**

Order for registration

^{F30}**Rule 30**

Register of judgments registered under s.4 of the Act of 1982

^{F30}**Rule 31**

Notice of registration

^{F30}**Rule 32**

Appeals

^{F30}**Rule 33**

Issue of execution

^{F30}**Rule 34**

Application for recognition

^{F30}**Rule 35**

Enforcement of High Court judgments in other Contracting States

^{F30}**Rule 36**

Enforcement of United Kingdom judgments in other parts of the United Kingdom: money provisions

^{F30}**Rule 37**

Enforcement of United Kingdom judgments in other parts of the United Kingdom: non-money provisions

^{F30}**Rule 38**

Register of United Kingdom judgments

^{F30}**Rule 39**

*Status: Point in time view as at 06/04/2016.
Changes to legislation: There are currently no known outstanding effects for the
The Civil Procedure Rules 1998, SCHEDULE 1. (See end of Document for details)*

Authentic Instruments and Court Settlements

^{F30} **Rule 39A**

*IV. Enforcement of Recommendations etc. Under the
Merchant Shipping (Liner Conferences) Act 1982*

Exercise of powers

^{F30} **Rule 40**

Application for registration

^{F30} **Rule 41**

Evidence in support of application

^{F30} **Rule 42**

Order for registration

^{F30} **Rule 43**

Register of recommendations etc.

^{F30} **Rule 44**

*V. RECIPROCAL ENFORCEMENT: COUNCIL REGULATION (EC) NO. 44/2001
OF 22ND DECEMBER 2000 ON JURISDICTION AND THE RECOGNITION AND
ENFORCEMENT OF JUDGMENTS IN CIVIL AND COMMERCIAL MATTERS*

Interpretation

^{F30} **Rule 45.**

Assignment of business and exercise of powers

^{F30} **Rule 46.**

Application for registration

^{F30} **Rule 47.**

Evidence in support of application

^{F30} **Rule 48.**

Order for registration

^{F30} **Rule 49.**

Register of judgments registered under the Judgments Regulation

^{F30}**Rule 50.**

Notice of registration

^{F30}**Rule 51.**

Appeals

^{F30}**Rule 52.**

Enforcement

^{F30}**Rule 53.**

Application for recognition

^{F30}**Rule 54.**

Enforcement of High Court Judgments in other Regulation States

^{F30}**Rule 55.**

Register of certificates

^{F30}**Rule 56.**

Authentic instruments and court settlements

^{F30}**Rule 57.**

RSC ORDER 74

**APPLICATIONS AND APPEALS UNDER
THE MERCHANT SHIPPING ACT 1995**

Assignment of proceedings

^{F31}**Rule 1**

Textual Amendments

F31 Sch. 1 RSC Order 74 revoked (25.3.2002) by The Civil Procedure (Amendment No. 5) Rules 2001 (S.I. 2001/4015), rules 1(c), **36**

Appeals and re-hearings

^{F31}**Rule 2**

Status: Point in time view as at 06/04/2016.

Changes to legislation: There are currently no known outstanding effects for the The Civil Procedure Rules 1998, SCHEDULE 1. (See end of Document for details)

Textual Amendments

F31 Sch. 1 RSC Order 74 revoked (25.3.2002) by [The Civil Procedure \(Amendment No. 5\) Rules 2001 \(S.I. 2001/4015\)](#), rules 1(c), **36**

RSC ORDER 77

PROCEEDINGS BY AND AGAINST THE CROWN

Application and interpretation

^{F32}**Rule 1**

Textual Amendments

F32 Sch. 1 RSC Order 77 revoked (1.10.2005) by [The Civil Procedure \(Amendment No.3\) Rules 2005 \(S.I. 2005/2292\)](#), rules 1(c), **55(a)**

Transfer of proceedings

^{F32}**Rule 2**

Textual Amendments

F32 Sch. 1 RSC Order 77 revoked (1.10.2005) by [The Civil Procedure \(Amendment No.3\) Rules 2005 \(S.I. 2005/2292\)](#), rules 1(c), **55(a)**

Particulars to be included in claim form

^{F32}**Rule 3**

Textual Amendments

F32 Sch. 1 RSC Order 77 revoked (1.10.2005) by [The Civil Procedure \(Amendment No.3\) Rules 2005 \(S.I. 2005/2292\)](#), rules 1(c), **55(a)**

Service on the Crown

^{F32}**Rule 4**

Textual Amendments

F32 Sch. 1 RSC Order 77 revoked (1.10.2005) by [The Civil Procedure \(Amendment No.3\) Rules 2005 \(S.I. 2005/2292\)](#), rules 1(c), **55(a)**

Counterclaim and set-off

^{F32}Rule 6

Textual Amendments

F32 Sch. 1 RSC Order 77 revoked (1.10.2005) by [The Civil Procedure \(Amendment No.3\) Rules 2005 \(S.I. 2005/2292\)](#), rules 1(c), **55(a)**

Summary judgment

^{F32}Rule 7

Textual Amendments

F32 Sch. 1 RSC Order 77 revoked (1.10.2005) by [The Civil Procedure \(Amendment No.3\) Rules 2005 \(S.I. 2005/2292\)](#), rules 1(c), **55(a)**

Summary applications to the Court in certain revenue matters

^{F32}Rule 8

Textual Amendments

F32 Sch. 1 RSC Order 77 revoked (1.10.2005) by [The Civil Procedure \(Amendment No.3\) Rules 2005 \(S.I. 2005/2292\)](#), rules 1(c), **55(a)**

Joinder of [^{F33}Commissioners for HM Revenue and Customs]

^{F32}Rule 8A

Textual Amendments

F32 Sch. 1 RSC Order 77 revoked (1.10.2005) by [The Civil Procedure \(Amendment No.3\) Rules 2005 \(S.I. 2005/2292\)](#), rules 1(c), **55(a)**

F33 Words in RSC Order 77 rule 8A substituted (1.10.2005) by [The Civil Procedure \(Amendment No.3\) Rules 2005 \(S.I. 2005/2292\)](#), rules 1(c), **53**

Judgment in default

^{F32}Rule 9

Textual Amendments

F32 Sch. 1 RSC Order 77 revoked (1.10.2005) by [The Civil Procedure \(Amendment No.3\) Rules 2005 \(S.I. 2005/2292\)](#), rules 1(c), **55(a)**

Status: Point in time view as at 06/04/2016.
Changes to legislation: There are currently no known outstanding effects for the
The Civil Procedure Rules 1998, SCHEDULE 1. (See end of Document for details)

Third party notices

^{F32}**Rule 10**

.....
Textual Amendments
F32 Sch. 1 RSC Order 77 revoked (1.10.2005) by [The Civil Procedure \(Amendment No.3\) Rules 2005 \(S.I. 2005/2292\)](#), rules 1(c), **55(a)**

Interpleader: application for order against Crown

^{F32}**Rule 11**

.....
Textual Amendments
F32 Sch. 1 RSC Order 77 revoked (1.10.2005) by [The Civil Procedure \(Amendment No.3\) Rules 2005 \(S.I. 2005/2292\)](#), rules 1(c), **55(a)**

Disclosure and further information

^{F32}**Rule 12**

.....
Textual Amendments
F32 Sch. 1 RSC Order 77 revoked (1.10.2005) by [The Civil Procedure \(Amendment No.3\) Rules 2005 \(S.I. 2005/2292\)](#), rules 1(c), **55(a)**

Place of trial

^{F32}**Rule 13**

.....
Textual Amendments
F32 Sch. 1 RSC Order 77 revoked (1.10.2005) by [The Civil Procedure \(Amendment No.3\) Rules 2005 \(S.I. 2005/2292\)](#), rules 1(c), **55(a)**

Evidence

^{F32}**Rule 14**

.....
Textual Amendments
F32 Sch. 1 RSC Order 77 revoked (1.10.2005) by [The Civil Procedure \(Amendment No.3\) Rules 2005 \(S.I. 2005/2292\)](#), rules 1(c), **55(a)**

Execution and satisfaction of orders

^{F32}**Rule 15**

Status: Point in time view as at 06/04/2016.

Changes to legislation: There are currently no known outstanding effects for the The Civil Procedure Rules 1998, SCHEDULE 1. (See end of Document for details)

Textual Amendments

F32 Sch. 1 RSC Order 77 revoked (1.10.2005) by [The Civil Procedure \(Amendment No.3\) Rules 2005 \(S.I. 2005/2292\)](#), rules 1(c), **55(a)**

Attachment of debts, etc.

F32 **Rule 16**

Textual Amendments

F32 Sch. 1 RSC Order 77 revoked (1.10.2005) by [The Civil Procedure \(Amendment No.3\) Rules 2005 \(S.I. 2005/2292\)](#), rules 1(c), **55(a)**

Proceedings relating to postal packets

F32 **Rule 17**

Textual Amendments

F32 Sch. 1 RSC Order 77 revoked (1.10.2005) by [The Civil Procedure \(Amendment No.3\) Rules 2005 \(S.I. 2005/2292\)](#), rules 1(c), **55(a)**

Applications under ss.17 and 29 of Crown Proceedings Act

F32 **Rule 18**

Textual Amendments

F32 Sch. 1 RSC Order 77 revoked (1.10.2005) by [The Civil Procedure \(Amendment No.3\) Rules 2005 \(S.I. 2005/2292\)](#), rules 1(c), **55(a)**

RSC ORDER 79

CRIMINAL PROCEEDINGS

Estreat of recognizances

Rule 8.—(1) No recognizance acknowledged in or removed into the Queen’s Bench Division shall be estreated without the order of a judge.

(2) Every application to estreat a recognizance in the Queen’s Bench Division must be made by claim form and will be heard by a judge ^{F34}...and must be supported by a witness statement or affidavit showing in what manner the breach has been committed and proving that the claim form was duly served.

(2A) When it issues the claim form the court will fix a date for the hearing of the application.

(3) A claim form under this rule must be served at least 2 clear days before the day named therein for the hearing.

Status: Point in time view as at 06/04/2016.

Changes to legislation: There are currently no known outstanding effects for the The Civil Procedure Rules 1998, SCHEDULE 1. (See end of Document for details)

(4) On the hearing of the application the judge may, and if requested by any party shall, direct any issue of fact in dispute to be tried by a jury.

(5) If it appears to the judge that a default has been made in performing the conditions of the recognizance, the judge may order the recognizance to be estreated.

Textual Amendments

F34 Words in Sch. 1 RSC Order 79 rule 8(2) omitted (26.4.1999) by virtue of [The Civil Procedure \(Amendment\) Rules 1999 \(S.I. 1999/1008\)](#), rules 1, **62(f)**

Bail

Rule 9.—(1) Subject to the provisions of this rule, every application to the High Court in respect of bail in any criminal proceeding—

- (a) where the defendant is in custody, must be made by claim form to a judge ^{F35}... to show cause why the defendant should not be granted bail;
- (b) where the defendant has been admitted to bail, must be made by claim form to a judge ^{F35}... to show cause why the variation in the arrangements for bail proposed by the applicant should not be made.

(2) Subject to paragraph (5), the claim form (in Form No. 97 or 97A in [^{F36}Practice Direction 4]) must, at least 24 hours before the day named therein for the hearing, be served—

- (a) where the application was made by the defendant, on the prosecutor and on the Director of Public Prosecutions, if the prosecution is being carried on by him;
- (b) where the application was made by the prosecutor or a constable under section 3 (8) of the Bail Act 1976(1), on the defendant.

(3) Subject to paragraph (5), every application must be supported by witness statement or affidavit.

(4) Where a defendant in custody who desires to apply for bail is unable through lack of means to instruct a solicitor, he may give notice in writing to the [^{F37}court] stating his desire to apply for bail and requesting that the official solicitor shall act for him in the application, and the [^{F38}court may] assign the official solicitor to act for the applicant accordingly.

(5) Where the official solicitor has been so assigned the [^{F39}court may] dispense with the requirements of paragraphs (1) to (3) and deal with the application in a summary manner.

(6) Where the [^{F40}court] grants the defendant bail, the order must be in Form No. 98 in [^{F41}Practice Direction 4] and a copy of the order shall be transmitted forthwith—

- (a) where the proceedings in respect of the defendant have been transferred to the Crown Court for trial or where the defendant has been committed to the Crown Court to be sentenced or otherwise dealt with, to the appropriate officer of the Crown Court;
- (b) in any other case, to the [^{F42}[^{F43}designated officer] for] the court which committed the defendant.

(6A) The recognizance of any surety required as a condition of bail granted as aforesaid may, where the defendant is in a prison or other place of detention, be entered into before the governor or keeper of the prison or place as well as before the persons specified in section 8 (4) of the Bail Act 1976.

(1) [1976 c. 63](#); section 3(8) was amended by the Criminal Law Act [1977 \(c. 45\)](#), section 65(4), schedule 12.

(6B) Where under section 3 (5) or (6) of the Bail Act 1976(2)^{F44}the court] imposes a requirement to be complied with before a person's release on bail, ^{F45}it] may give directions as to the manner in which and the person or persons before whom the requirement may be complied with.

(7) A person who in pursuance of an order for the grant of bail made by ^{F46}the court] under this rule proposes to enter into a recognizance or give security must, unless ^{F47}the court] otherwise directs, give notice (in Form No. 100 in ^{F48}Practice Direction 4]) to the prosecutor at least 24 hours before he enters into the recognizance or complies with the requirements as aforesaid.

(8) Where in pursuance of such an order as aforesaid a recognizance is entered into or requirement complied with before any person, it shall be the duty of that person to cause the recognizance or, as the case may be, a statement of the requirement complied with to be transmitted forthwith—

- (a) where the proceedings in respect of the defendant have been transferred to the Crown Court for trial or where the defendant has been committed to the Crown Court to be sentenced or otherwise dealt with, to the appropriate officer of the Crown Court;
- (b) in any other case, to the ^{F49}^{F50}designated officer] for] the court which committed the defendant

and a copy of such recognizance or statement shall at the same time be sent to the governor or keeper of the prison or other place of detention in which the defendant is detained, unless the recognizance was entered into or the requirement complied with before such governor or keeper.

(10) An order ^{F51}... varying the arrangements under which the defendant has been granted bail shall be in Form 98A in ^{F52}Practice Direction 4] and a copy of the order shall be transmitted forthwith—

- (a) where the proceedings in respect of the defendant have been transferred to the Crown Court for trial or where the defendant has been committed to the Crown Court to be sentenced or otherwise dealt with, to the appropriate officer of the Crown Court;
- (b) in any other case, to the ^{F53}^{F54}designated officer] for] the court which committed the defendant.

(11) Where in pursuance of an order of ^{F55}the High Court or the Crown Court] a person is released on bail in any criminal proceeding pending the determination of an appeal to the High Court or ^{F56}the Supreme Court] or an application for ^{F57}a quashing order], then, upon the abandonment of the appeal or application, or upon the decision of the High Court or ^{F56}the Supreme Court] being given, any justice (being a justice acting for the same petty sessions area as the magistrates' court by which that person was convicted or sentenced) may issue process for enforcing the decision in respect of which such appeal or application was brought or, as the case may be, the decision of the High Court or ^{F56}the Supreme Court].

(12) If an applicant to the High Court in any criminal proceedings is refused bail ^{F58}..., the applicant shall not be entitled to make a fresh application for bail to any other judge or to a Divisional Court.

(13) The record required by section 5 of the Bail Act 1976(3) to be made by the High Court shall be made by including in the file relating to the case in question a copy of the relevant order of the Court and shall contain the particulars set out in Form No. 98 or 98A in ^{F59}Practice Direction 4], whichever is appropriate, except that in the case of a decision to withhold bail the record shall be

(2) 1976 c. 63; section 3(6) was amended by the Criminal Justice and Public Order Act 1994 (c. 33), sections 27(2), 168(3), schedule 11.

(3) 1976 c. 63; section 5 was amended by the Criminal Justice Act 1982 (c. 48), section 60; and by the Criminal Law Act 1977 (c. 45), section 65(4), schedule 12; and by the Criminal Justice and Public Order Act 1994 (c. 33), section 27(4), schedule 3, paragraph 1.

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made by inserting a statement of the decision on the Court's copy of the relevant claim form and including it in the file relating to the case in question.

(14) In the case of a person whose return or surrender is sought under the Extradition Act 1989(4), this rule shall apply as if references to the defendant were references to that person and references to the prosecutor were references to the State seeking the return or surrender of that person.

Textual Amendments

- F35** Words in Sch. 1 RSC Order 79 rule 9 omitted (26.4.1999) by virtue of [The Civil Procedure \(Amendment\) Rules 1999 \(S.I. 1999/1008\)](#), rules 1, **62(f)**
- F36** Words in Sch. 1 RSC Order 79 rule 9(2) substituted (6.4.2010) by [The Civil Procedure \(Amendment No.2\) Rules 2009 \(S.I. 2009/3390\)](#), rules 1(2), **56(a)**
- F37** Word in Sch. 1 RSC Order 79 rule 9(4) substituted (26.4.1999) by [The Civil Procedure \(Amendment\) Rules 1999 \(S.I. 1999/1008\)](#), rules 1, **40(a)**
- F38** Words in Sch. 1 Order 79 rule 9(4) substituted (26.4.1999) by [The Civil Procedure \(Amendment\) Rules 1999 \(S.I. 1999/1008\)](#), rules 1, **40(b)**
- F39** Words in Sch. 1 Order 79 rule 9(5) substituted (26.4.1999) by [The Civil Procedure \(Amendment\) Rules 1999 \(S.I. 1999/1008\)](#), rules 1, **40(b)**
- F40** Word in Sch. 1 RSC Order 79 rule 9(6) substituted (26.4.1999) by [The Civil Procedure \(Amendment\) Rules 1999 \(S.I. 1999/1008\)](#), rules 1, **40(c)**
- F41** Words in Sch. 1 RSC Order 79 rule 9(6) substituted (6.4.2010) by [The Civil Procedure \(Amendment No.2\) Rules 2009 \(S.I. 2009/3390\)](#), rules 1(2), **56(b)**
- F42** Words in Sch. 1 RSC Order 79 rule 9(6)(b) substituted (1.4.2001) by [The Civil Procedure \(Amendment\) Rules 2001 \(S.I. 2001/256\)](#), rules 1(b), **22**
- F43** Words in Sch. 1 RSC Order 79 rule 9(6)(b) substituted (1.4.2005) by [The Courts Act 2003 \(Consequential Provisions\) \(No. 2\) Order 2005 \(S.I. 2005/617\)](#), art. 1, **Sch. para. 175**
- F44** Words in Sch. 1 RSC Order 79 rule 9(6B) substituted (26.4.1999) by [The Civil Procedure \(Amendment\) Rules 1999 \(S.I. 1999/1008\)](#), rules 1, **40(d)(i)**
- F45** Word in Sch. 1 RSC Order 79 rule 9(6B) substituted (26.4.1999) by [The Civil Procedure \(Amendment\) Rules 1999 \(S.I. 1999/1008\)](#), rules 1, **40(d)(ii)**
- F46** Words in Sch. 1 RSC Order 79 rule 9(7) substituted (26.4.1999) by [The Civil Procedure \(Amendment\) Rules 1999 \(S.I. 1999/1008\)](#), rules 1, **40(e)(i)**
- F47** Words in Sch. 1 RSC Order 79 rule 9(7) substituted (26.4.1999) by [The Civil Procedure \(Amendment\) Rules 1999 \(S.I. 1999/1008\)](#), rules 1, **40(e)(ii)**
- F48** Words in Sch. 1 RSC Order 79 rule 9(7) substituted (6.4.2010) by [The Civil Procedure \(Amendment No.2\) Rules 2009 \(S.I. 2009/3390\)](#), rules 1(2), **56(b)**
- F49** Words in Sch. 1 RSC Order 79 rule 9(8)(b) substituted (1.4.2001) by [The Civil Procedure \(Amendment\) Rules 2001 \(S.I. 2001/256\)](#), rules 1(b), **22**
- F50** Words in Sch. 1 RSC Order 79 rule 9(8)(b) substituted (1.4.2005) by [The Courts Act 2003 \(Consequential Provisions\) \(No. 2\) Order 2005 \(S.I. 2005/617\)](#), art. 1, **Sch. para. 175**
- F51** Words in Sch. 1 RSC Order 79 rule 9(10) omitted (26.4.1999) by virtue of [The Civil Procedure \(Amendment\) Rules 1999 \(S.I. 1999/1008\)](#), rules 1, **40(f)**
- F52** Words in Sch. 1 RSC Order 79 rule 9(10) substituted (6.4.2010) by [The Civil Procedure \(Amendment No.2\) Rules 2009 \(S.I. 2009/3390\)](#), rules 1(2), **56(a)**
- F53** Words in Sch. 1 RSC Order 79 rule 9(10)(b) substituted (1.4.2001) by [The Civil Procedure \(Amendment\) Rules 2001 \(S.I. 2001/256\)](#), rules 1(b), **22**
- F54** Words in Sch. 1 RSC Order 79 rule 9(10)(b) substituted (1.4.2005) by [The Courts Act 2003 \(Consequential Provisions\) \(No. 2\) Order 2005 \(S.I. 2005/617\)](#), art. 1, **Sch. para. 175**
- F55** Words in Sch. 1 RSC Order 79 rule 9(11) substituted (26.4.1999) by [The Civil Procedure \(Amendment\) Rules 1999 \(S.I. 1999/1008\)](#), rules 1, **40(g)**

(4) 1989 c. 33.

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Changes to legislation: There are currently no known outstanding effects for the The Civil Procedure Rules 1998, SCHEDULE 1. (See end of Document for details)

- F56** Words in Sch. 1 RSC Order 79 rule 9(11) substituted (1.10.2009) by [The Civil Procedure \(Amendment\) Rules 2009 \(S.I. 2009/2092\)](#), rules 1(2), **20**
- F57** Words in Sch. 1 RSC Order 79 rule 9(11) substituted (1.5.2004) by [The Civil Procedure \(Amendment No. 5\) Rules 2003 \(S.I. 2003/3361\)](#), rules 1(d), **30**
- F58** Words in Sch. 1 RSC Order 79 rule 9(12) omitted (26.4.1999) by virtue of [The Civil Procedure \(Amendment\) Rules 1999 \(S.I. 1999/1008\)](#), rules 1, **40(h)**
- F59** Words in Sch. 1 RSC Order 79 rule 9(13) substituted (6.4.2010) by [The Civil Procedure \(Amendment No.2\) Rules 2009 \(S.I. 2009/3390\)](#), rules 1(2), **56(b)**

Modifications etc. (not altering text)

- C3** Sch. 1 RSC Order 79 rule 9 applied (with modifications) (23.12.2011) by [The Legal Services Act 2007 \(Designation as a Licensing Authority\) \(No. 2\) Order 2011 \(S.I. 2011/2866\)](#), arts. 1(2), 8(1)(2), **Sch. 2**

Issue of witness summonses, etc.

^{F60}**Rule 10**

Textual Amendments

- F60** Sch. 1 RSC Order 79 rules 10, 11 omitted (26.4.1999) by virtue of [The Civil Procedure \(Amendment\) Rules 1999 \(S.I. 1999/1008\)](#), rules 1, **41**

Application for warrant to arrest witness

^{F60}**Rule 11**

Textual Amendments

- F60** Sch. 1 RSC Order 79 rules 10, 11 omitted (26.4.1999) by virtue of [The Civil Procedure \(Amendment\) Rules 1999 \(S.I. 1999/1008\)](#), rules 1, **41**

^{F61}**RSC ORDER 81**

PARTNERS

Textual Amendments

- F61** Sch. 1 RSC Order 81 revoked (2.10.2006) by [The Civil Procedure \(Amendment\) Rules 2006 \(S.I. 2006/1689\)](#), rules 1, **12(a)**

Claims by and against firms within jurisdiction

^{F61}**Rule 1**

Disclosure of partners' names

^{F61}**Rule 2**

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Changes to legislation: There are currently no known outstanding effects for the
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Acknowledgment of service in a claim against firm

^{F61}**Rule 4**

Enforcing judgment or order against firm

^{F61}**Rule 5**

Enforcing judgment or order in actions between partners, etc.

^{F61}**Rule 6**

Attachment of debts owed by firm

^{F61}**Rule 7**

Application to person carrying on business in another name

^{F61}**Rule 9**

Applications for orders charging partner’s interest in partnership property, etc.

^{F61}**Rule 10**

^{F62}**RSC ORDER 82**
DEFAMATION CLAIMS

.....
Textual Amendments
F62 Sch. 1 RSC Order 82 revoked (28.2.2000) by [The Civil Procedure \(Amendment\) Rules 2000 \(S.I. 2000/221\)](#), rules 1(a), **40**

Application

Rule 1 ^{F62}

Indorsement of claim in libel claim

Rule 2 ^{F62}

Obligation to give particulars

Rule 3 ^{F62}

Ruling on meaning

Rule 3A ^{F62}

Provisions as to payment into Court

Rule 4 ^{F62}

Statement in open Court

Rule 5 ^{F62}

Further information not allowed in certain cases

Rule 6 ^{F62}

Fulfilment of offer of amends under s.4 of the Defamation Act 1952

Rule 8 ^{F62}

^{F63}RSC ORDER 85

ADMINISTRATION AND SIMILAR ACTIONS

Textual Amendments

F63 Sch. 1 RSC Order 85 revoked (2.12.2002) by [The Civil Procedure \(Amendment\) Rules 2002 \(S.I. 2002/2058\)](#), rule 1(b), **Sch. 10**

Interpretation

^{F63}**Rule 1**

Determination of questions, etc., without administration

^{F63}**Rule 2**

Parties

^{F63}**Rule 3**

Judgments and orders in administration claims

^{F63}**Rule 5**

Conduct of sale of trust property

^{F63}**Rule 6**

*Status: Point in time view as at 06/04/2016.
Changes to legislation: There are currently no known outstanding effects for the
The Civil Procedure Rules 1998, SCHEDULE 1. (See end of Document for details)*

F64 RSC ORDER 87

DEBENTURE HOLDERS' CLAIMS : RECEIVER'S REGISTER

.....
Textual Amendments

F64 Sch. 1 RSC Order 87 revoked (2.12.2002) by [The Civil Procedure \(Amendment\) Rules 2002 \(S.I. 2002/2058\)](#), rule 1(b), **Sch. 10**

Receiver’s register

F64 **Rule 1**

Registration of transfers, etc.

F64 **Rule 2**

Application for rectification of receiver’s register

F64 **Rule 3**

Receiver’s register evidence of transfers, etc.

F64 **Rule 4**

Proof of title of holder of bearer debenture, etc.

F64 **Rule 5**

Requirements in connection with payments

F64 **Rule 6**

RSC ORDER 88

MORTGAGE CLAIMS

Application and Interpretation

F65 **Rule 1**

.....
Textual Amendments

F65 Sch. 1 RSC Order 88 rules 1-5 revoked (15.10.2001) by [The Civil Procedure \(Amendment\) Rules 2001 \(S.I. 2001/256\)](#), rule 1(d), **Sch. 3**

Assignment of certain actions to Chancery Division

F65 **Rule 2**

Textual Amendments

F65 Sch. 1 RSC Order 88 rules 1-5 revoked (15.10.2001) by [The Civil Procedure \(Amendment\) Rules 2001 \(S.I. 2001/256\)](#), rule 1(d), [Sch. 3](#)

Commencement of claim

^{F65}**Rule 3**

Textual Amendments

F65 Sch. 1 RSC Order 88 rules 1-5 revoked (15.10.2001) by [The Civil Procedure \(Amendment\) Rules 2001 \(S.I. 2001/256\)](#), rule 1(d), [Sch. 3](#)

Claim for possession: failure by a defendant to acknowledge service

^{F65}**Rule 4**

Textual Amendments

F65 Sch. 1 RSC Order 88 rules 1-5 revoked (15.10.2001) by [The Civil Procedure \(Amendment\) Rules 2001 \(S.I. 2001/256\)](#), rule 1(d), [Sch. 3](#)

Claim in Chancery Division for possession or payment: evidence

^{F65}**Rule 5**

Textual Amendments

F65 Sch. 1 RSC Order 88 rules 1-5 revoked (15.10.2001) by [The Civil Procedure \(Amendment\) Rules 2001 \(S.I. 2001/256\)](#), rule 1(d), [Sch. 3](#)

Claim for the enforcement of charging order by sale

^{F66}**Rule 5A**

Textual Amendments

F66 Sch. 1 RSC Order 88 rule 5A revoked (25.3.2002) by [The Civil Procedure \(Amendment No. 4\) Rules 2001 \(S.I. 2001/2792\)](#), rule 1(c), [Sch. 5](#) (with savings in rule 24 and S.I. 2001/4015, rules 1(c), **43(2)**)

Foreclosure in redemption claim

^{F67}**Rule 7**

*Status: Point in time view as at 06/04/2016.
Changes to legislation: There are currently no known outstanding effects for the
The Civil Procedure Rules 1998, SCHEDULE 1. (See end of Document for details)*

Textual Amendments
F67 Sch. 1 RSC Order 88 rule 7 revoked (15.10.2001) by [The Civil Procedure \(Amendment\) Rules 2001 \(S.I. 2001/256\)](#), rule 1(d), **Sch. 3**

**RSC ORDER 91
REVENUE PROCEEDINGS**

Assignment to Chancery Division, etc.

^{F68}**Rule 1**

Textual Amendments
F68 Sch. 1 RSC Order 91 revoked (6.10.2003) by [The Civil Procedure \(Amendment No. 4\) Rules 2003 \(S.I. 2003/2113\)](#), rules 1(c), **19(a)**

Appeal under section 222 of the Inheritance Tax Act 1984

^{F68}**Rule 2**

Textual Amendments
F68 Sch. 1 RSC Order 91 revoked (6.10.2003) by [The Civil Procedure \(Amendment No. 4\) Rules 2003 \(S.I. 2003/2113\)](#), rules 1(c), **19(a)**

Setting down case stated under Taxes Management Act 1970

^{F68}**Rule 3**

Textual Amendments
F68 Sch. 1 RSC Order 91 revoked (6.10.2003) by [The Civil Procedure \(Amendment No. 4\) Rules 2003 \(S.I. 2003/2113\)](#), rules 1(c), **19(a)**

Case stated: notice to be given of certain matters

^{F68}**Rule 4**

Textual Amendments
F68 Sch. 1 RSC Order 91 revoked (6.10.2003) by [The Civil Procedure \(Amendment No. 4\) Rules 2003 \(S.I. 2003/2113\)](#), rules 1(c), **19(a)**

Appeals under section 53 and 100C (4) of the Taxes Management Act 1970

^{F68}**Rule 5**

Textual Amendments

F68 Sch. 1 RSC Order 91 revoked (6.10.2003) by [The Civil Procedure \(Amendment No. 4\) Rules 2003 \(S.I. 2003/2113\)](#), rules 1(c), **19(a)**

Appeals under section 56A of the Taxes Management Act 1970, section 225 of the Inheritance Tax Act 1984 and regulation 10 of the Stamp Duty Reserve Tax Regulations 1986

^{F68}**Rule 5A**

Textual Amendments

F68 Sch. 1 RSC Order 91 revoked (6.10.2003) by [The Civil Procedure \(Amendment No. 4\) Rules 2003 \(S.I. 2003/2113\)](#), rules 1(c), **19(a)**

Appeals from value added tax tribunals

^{F68}**Rule 6**

Textual Amendments

F68 Sch. 1 RSC Order 91 revoked (6.10.2003) by [The Civil Procedure \(Amendment No. 4\) Rules 2003 \(S.I. 2003/2113\)](#), rules 1(c), **19(a)**

^{F69}**RSC ORDER 92**

LODGMET, INVESTMENT, ETC., OF FUNDS IN COURT: CHANCERY DIVISION

Textual Amendments

F69 Sch. 1 RSC Order 92 revoked (2.12.2002) by [The Civil Procedure \(Amendment\) Rules 2002 \(S.I. 2002/2058\)](#), rule 1(b), **Sch. 10**

Payment into court by life assurance company

^{F69}**Rule 1**

Payment into court under Trustee Act 1925

^{F69}**Rule 2**

*Status: Point in time view as at 06/04/2016.
Changes to legislation: There are currently no known outstanding effects for the
The Civil Procedure Rules 1998, SCHEDULE 1. (See end of Document for details)*

Payments into court under section 26, Banking Act 1987

^{F69}**Rule 3A**

Notice of lodgment

^{F69}**Rule 4**

Applications with respect to funds in court

^{F69}**Rule 5**

RSC ORDER 93

**APPLICATIONS AND APPEALS TO HIGH COURT
UNDER VARIOUS ACTS: CHANCERY DIVISION**

Notice of petition under section 55 of National Debt Act 1870(5)

^{F70}**Rule1**

Textual Amendments
F70 Sch. 1 RSC Order 93 rule 1 revoked (2.10.2006) by [The Civil Procedure \(Amendment\) Rules 2006 \(S.I. 2006/1689\)](#), rules 1, **12(b)**

Application under Public Trustee Act 1906(6)

^{F71}**Rule 2**

Textual Amendments
F71 Sch. 1 RSC Order 93 rule 2 revoked (6.4.2007) by [The Civil Procedure \(Amendment No.3\) Rules 2006 \(S.I. 2006/3435\)](#), rules 1, **15(a)**

Proceedings under Trustee Act 1925(7)

^{F72}**Rule 4**

Textual Amendments
F72 Sch. 1 RSC Order 93 rule 4 revoked (1.10.2007) by [The Civil Procedure \(Amendment\) Rules 2007 \(S.I. 2007/2204\)](#), rules 1, **20(a)**

(5) [1870 c. 71.](#)
(6) [1906 c. 55.](#)
(7) [1925 c. 19.](#)

Application under section 2(3) of Public Order Act 1936(8)

^{F73}Rule 5

Textual Amendments

F73 Sch. 1 RSC Order 93 rule 5 revoked (1.10.2007) by [The Civil Procedure \(Amendment\) Rules 2007 \(S.I. 2007/2204\)](#), rules 1, **20(a)**

Application under Variation of Trusts Act 1958(9)

^{F74}Rule 6

Textual Amendments

F74 Sch. 1 RSC Order 93 rule 6 revoked (2.12.2002) by [The Civil Procedure \(Amendment\) Rules 2002 \(S.I. 2002/2058\)](#), rule 1(b), **Sch. 10**

Right of appeal under Law of Property Act

^{F75}Rule 9

Textual Amendments

F75 Sch. 1 RSC Order 93 rule 9 revoked (1.10.2007) by [The Civil Procedure \(Amendment\) Rules 2007 \(S.I. 2007/2204\)](#), rules 1, **20(a)**

Determination of appeal or case stated under various Acts

^{F76}Rule 10

Textual Amendments

F76 Sch. 1 RSC Order 93 rule 10 revoked (1.10.2007) by [The Civil Procedure \(Amendment\) Rules 2007 \(S.I. 2007/2204\)](#), rules 1, **20(a)**

Appeal under section 17 of Industrial Assurance Act 1923(10)

^{F77}Rule 11

Textual Amendments

F77 Sch. 1 RSC Order 93 rule 11 revoked (2.5.2000) by [The Civil Procedure \(Amendment\) Rules 2000 \(S.I. 2000/221\)](#), rule 1(b), **Sch. 8** (with [rule 39\(b\)](#)) (as amended by [S.I. 2000/940](#), rules 1, 2)

(8) [1936 c. 2](#).

(9) [1958 c. 53](#).

(10) [1923 c. 8](#); section 17 was amended by the [Friendly Societies Act 1971 \(c. 66\)](#), sections 5(5), 14(2), schedule 3 and by the [Friendly Societies Act 1992 \(c. 40\)](#), section 100, schedule 19, Part I, paragraphs 1, 5 and 6.

*Status: Point in time view as at 06/04/2016.
Changes to legislation: There are currently no known outstanding effects for the
The Civil Procedure Rules 1998, SCHEDULE 1. (See end of Document for details)*

Appeals, etc., affecting industrial and provident societies, etc.

^{F78}Rule 12

Textual Amendments
F78 Sch. 1 RSC Order 93 rule 12 revoked (2.5.2000) by [The Civil Procedure \(Amendment\) Rules 2000 \(S.I. 2000/221\)](#), rule 1(b), **Sch. 8** (with rule 39(b)) (as amended by [S.I. 2000/940](#), rules 1, 2)

Application under section 19 or 27 of Leasehold Reform Act 1967(11)

^{F79}Rule 15

Textual Amendments
F79 Sch. 1 RSC Order 93 rule 15 revoked (15.10.2001) by [The Civil Procedure \(Amendment\) Rules 2001 \(S.I. 2001/256\)](#), rule 1(d), **Sch. 3**

Proceedings under the Commons Registration Act 1965(12)

^{F80}Rule 16

Textual Amendments
F80 Sch. 1 RSC Order 93 rules 16-19 revoked (1.10.2007) by [The Civil Procedure \(Amendment\) Rules 2007 \(S.I. 2007/2204\)](#), rules 1, **20(a)**

Proceedings under section 21 or 25 of the Law of Property Act 1969(13)

^{F80}Rule 17

Textual Amendments
F80 Sch. 1 RSC Order 93 rules 16-19 revoked (1.10.2007) by [The Civil Procedure \(Amendment\) Rules 2007 \(S.I. 2007/2204\)](#), rules 1, **20(a)**

Proceedings under section 86 of the Civil Aviation Act 1982(14)

^{F80}Rule 18

- (11) [1967 c. 88](#); section 19 was amended by the [Local Land Charges Act 1975 \(c. 76\)](#), section 17(2), schedule 1.
- (12) [1965 c. 65](#).
- (13) [1969 c. 59](#); section 25 was amended by the [Limitation Act 1980 \(c. 58\)](#), section 40(2), schedule 3, paragraph 9; and by the [Land Charges Act 1972 \(c. 61\)](#), section 18, schedule 5.
- (14) [1982 c. 16](#); section 86 was amended by the [Merchant Shipping Act 1995 \(c. 21\)](#), section 314(2), schedule 13, paragraph 64.

Status: Point in time view as at 06/04/2016.

Changes to legislation: There are currently no known outstanding effects for the The Civil Procedure Rules 1998, SCHEDULE 1. (See end of Document for details)

Textual Amendments

F80 Sch. 1 RSC Order 93 rules 16-19 revoked (1.10.2007) by [The Civil Procedure \(Amendment\) Rules 2007 \(S.I. 2007/2204\)](#), rules 1, **20(a)**

Proceedings under s.85 (7) of the Fair Trading Act 1973(15) and the Control of Misleading Advertisements Regulations 1988(16)

^{F80}**Rule 19**

Textual Amendments

F80 Sch. 1 RSC Order 93 rules 16-19 revoked (1.10.2007) by [The Civil Procedure \(Amendment\) Rules 2007 \(S.I. 2007/2204\)](#), rules 1, **20(a)**

Proceedings under section 50 of the Administration of Justice Act 1985(17)

^{F81}**Rule 20**

Textual Amendments

F81 Sch. 1 RSC Order 93 rule 20 revoked (15.10.2001) by [The Civil Procedure \(Amendment No. 2\) Rules 2001 \(S.I. 2001/1388\)](#), rules 1(b), **15**

Proceedings under section 48 of the Administration of Justice Act 1985

^{F82}**Rule 21**

Textual Amendments

F82 Sch. 1 RSC Order 93 rule 21 revoked (2.12.2002) by [The Civil Procedure \(Amendment\) Rules 2002 \(S.I. 2002/2058\)](#), rule 1(b), **Sch. 10**

Proceedings under [^{F83}the Financial Services and Markets Act 2000]

^{F84}**Rule 22**

Textual Amendments

F83 Words in Sch. 1 RSC Order 93 rule 22 heading substituted (14.1.2002) by [The Civil Procedure \(Amendment No. 5\) Rules 2001 \(S.I. 2001/4015\)](#), rules 1(a), **38(a)(i)**

F84 Sch. 1 RSC Order 93 rule 22 revoked (6.4.2007) by [The Civil Procedure \(Amendment No.3\) Rules 2006 \(S.I. 2006/3435\)](#), rules 1, **15(a)**

(15) 1973 c. 41.
(16) S.I. 1988/915.
(17) 1985 c. 61.

Status: Point in time view as at 06/04/2016.
Changes to legislation: There are currently no known outstanding effects for the
The Civil Procedure Rules 1998, SCHEDULE 1. (See end of Document for details)

Proceedings under the Banking Act 1987(18)

^{F85}**Rule 23**

Textual Amendments

F85 Sch. 1 RSC Order 93 rule 23 omitted (14.1.2002) by virtue of [The Civil Procedure \(Amendment No. 5\) Rules 2001 \(S.I. 2001/4015\)](#), rules 1(a), **38(b)**

RSC ORDER 94

**APPLICATIONS AND APPEALS TO HIGH COURT
UNDER VARIOUS ACTS: QUEEN'S BENCH DIVISION**

Jurisdiction of High Court to quash certain orders, schemes, etc.

^{F86}**Rule 1**

Textual Amendments

F86 Sch. 1 RSC Order 94 rules 1-3 revoked (6.4.2007) by [The Civil Procedure \(Amendment No.3\) Rules 2006 \(S.I. 2006/3435\)](#), rules 1, **15(b)**

Filing and service of claim form

^{F86}**Rule 2**

Textual Amendments

F86 Sch. 1 RSC Order 94 rules 1-3 revoked (6.4.2007) by [The Civil Procedure \(Amendment No.3\) Rules 2006 \(S.I. 2006/3435\)](#), rules 1, **15(b)**

Filing of witness statement or affidavits, etc.

^{F86}**Rule 3**

Textual Amendments

F86 Sch. 1 RSC Order 94 rules 1-3 revoked (6.4.2007) by [The Civil Procedure \(Amendment No.3\) Rules 2006 \(S.I. 2006/3435\)](#), rules 1, **15(b)**

Rectification of register of deeds of arrangement

^{F87}**Rule 4**

Status: Point in time view as at 06/04/2016.

Changes to legislation: There are currently no known outstanding effects for the The Civil Procedure Rules 1998, SCHEDULE 1. (See end of Document for details)

Textual Amendments

F87 Sch. 1 RSC Order 94 rule 4 revoked (1.10.2007) by [The Civil Procedure \(Amendment\) Rules 2007 \(S.I. 2007/2204\)](#), rules 1, **20(b)**

Exercise of jurisdiction under Representation of the People Acts

^{F88}**Rule 5**

Textual Amendments

F88 Sch. 1 RSC Order 94 rule 5 revoked (1.10.2007) by [The Civil Procedure \(Amendment\) Rules 2007 \(S.I. 2007/2204\)](#), rules 1, **20(b)**

Appeal to High Court where Court’s decision is final

^{F89}**Rule 6**

Textual Amendments

F89 Sch. 1 RSC Order 94 rule 6 revoked (2.5.2000) by [The Civil Procedure \(Amendment\) Rules 2000 \(S.I. 2000/221\)](#), rule 1(b), **Sch. 8** (with rule 39(b)) (as amended by S.I. 2000/940, rules 1, 2)

Reference of question of law by Agricultural Land Tribunal

^{F90}**Rule 7**

Textual Amendments

F90 Sch. 1 RSC Order 94 rule 7 revoked (2.5.2000) by [The Civil Procedure \(Amendment\) Rules 2000 \(S.I. 2000/221\)](#), rule 1(b), **Sch. 8** (with rule 39(b)) (as amended by S.I. 2000/940, rules 1, 2)

Tribunals and Inquiries Act 1992(19): appeal from tribunal

^{F91}**Rule 8**

Textual Amendments

F91 Sch. 1 RSC Order 94 rule 8 revoked (1.10.2007) by [The Civil Procedure \(Amendment\) Rules 2007 \(S.I. 2007/2204\)](#), rules 1, **20(b)**

Tribunals and Inquiries Act 1992: case stated by tribunal

^{F92}**Rule 9**

*Status: Point in time view as at 06/04/2016.
Changes to legislation: There are currently no known outstanding effects for the
The Civil Procedure Rules 1998, SCHEDULE 1. (See end of Document for details)*

Textual Amendments

F92 Sch. 1 RSC Order 94 rule 9 revoked (1.10.2007) by [The Civil Procedure \(Amendment\) Rules 2007 \(S.I. 2007/2204\)](#), rules 1, **20(b)**

Tribunals and Inquiries Act 1971(20): appeal from Minister of Transport

^{F93}**Rule 10**

Textual Amendments

F93 Sch. 1 RSC Order 94 rule 10 revoked (2.5.2000) by [The Civil Procedure \(Amendment\) Rules 2000 \(S.I. 2000/221\)](#), rule 1(b), **Sch. 8** (with rule 39(b)) (as amended by S.I. 2000/940, rules 1, 2)

Consumer Credit Act 1974(21): appeal from Secretary of State

^{F94}**Rule 10A**

Textual Amendments

F94 Sch. 1 RSC Order 94 rule 10A omitted (2.5.2000) by virtue of [The Civil Procedure \(Amendment\) Rules 2000 \(S.I. 2000/221\)](#), rule 1(b), **Sch. 8** (with rule 39(b)) (as amended by S.I. 2000/940, rules 1, 2)

Case stated by Mental Health Review Tribunal

^{F95}**Rule 11**

Textual Amendments

F95 Sch. 1 RSC Order 94 rule 11 revoked (2.5.2000) by [The Civil Procedure \(Amendment\) Rules 2000 \(S.I. 2000/221\)](#), rule 1(b), **Sch. 8** (with rule 39(b)) (as amended by S.I. 2000/940, rules 1, 2)

Applications for permission under section 289 (6) of the Town and Country Planning Act 1990(22) and section 65 (5) of the Planning (Listed Buildings and Conservation Areas) Act 1990(23)

^{F96}**Rule 12**

Textual Amendments

F96 Sch. 1 RSC Order 94 rule 12 revoked (1.10.2007) by [The Civil Procedure \(Amendment\) Rules 2007 \(S.I. 2007/2204\)](#), rules 1, **20(b)**

(20) 1971 c. 62.
(21) 1974 c. 39.
(22) 1990 c. 8.
(23) 1990 c. 9.

**Proceedings under sections 289 and 290 of the Town and Country Planning Act 1990 and
under section 65 of the Planning (Listed Buildings and Conservation Areas) Act 1990**

^{F97}**Rule 13**

Textual Amendments

F97 Sch. 1 RSC Order 94 rule 13 revoked (1.10.2007) by [The Civil Procedure \(Amendment\) Rules 2007](#)
(S.I. 2007/2204), rules 1, **20(b)**

Applications under section 13 Coroners Act 1988(24)

^{F98}**Rule 14**

Textual Amendments

F98 Sch. 1 RSC Order 94 rule 14 revoked (6.4.2007) by [The Civil Procedure \(Amendment No.3\) Rules 2006](#)
(S.I. 2006/3435), rules 1, **15(b)**

Applications under section 42, Supreme Court Act 1981(25)

^{F99}**Rule 15**

Textual Amendments

F99 Sch. 1 RSC Order 94 rule 15 revoked (6.4.2007) by [The Civil Procedure \(Amendment No.3\) Rules 2006](#)
(S.I. 2006/3435), rules 1, **15(b)**

Proceedings under the Protection from Harassment Act 1997

^{F100}**Rule 16**

Textual Amendments

F100 Sch. 1 RSC Order 94 rule 16 revoked (30.6.2004) by [The Civil Procedure \(Amendment\) Rules 2004](#)
(S.I. 2004/1306), rules 1(b), **21(b)**

RSC ORDER 95

**BILLS OF SALE ACTS 1878(26) AND 1882(27) AND THE
INDUSTRIAL AND PROVIDENT SOCIETIES ACT 1967(28)**

Rectification of register

^{F101}**Rule 1**

(24) [1988 c. 13.](#)

(25) [1981 c. 54.](#)

(26)

[1878 c. 31.](#)

*Status: Point in time view as at 06/04/2016.
Changes to legislation: There are currently no known outstanding effects for the
The Civil Procedure Rules 1998, SCHEDULE 1. (See end of Document for details)*

Textual Amendments

F101 Sch. 1 RSC Order 95 rule 1 revoked (1.10.2007) by [The Civil Procedure \(Amendment\) Rules 2007 \(S.I. 2007/2204\)](#), rules 1, **20(c)**

Entry of satisfaction

^{F102}**Rule 2**

Textual Amendments

F102 Sch. 1 RSC Order 95 rule 2 revoked (6.4.2007) by [The Civil Procedure \(Amendment No.3\) Rules 2006 \(S.I. 2006/3435\)](#), rules 1, **15(c)**

Restraining removal on sale of goods seized

^{F103}**Rule 3**

Textual Amendments

F103 Sch. 1 RSC Order 95 rule 3 revoked (6.4.2007) by [The Civil Procedure \(Amendment No.3\) Rules 2006 \(S.I. 2006/3435\)](#), rules 1, **15(c)**

Search of register

^{F104}**Rule 4**

Textual Amendments

F104 Sch. 1 RSC Order 95 rules 4-6 revoked (1.10.2007) by [The Civil Procedure \(Amendment\) Rules 2007 \(S.I. 2007/2204\)](#), rules 1, **20(c)**

Application under section 1 (5) of the Industrial and Provident Societies Act 1967(29)

^{F104}**Rule 5**

Textual Amendments

F104 Sch. 1 RSC Order 95 rules 4-6 revoked (1.10.2007) by [The Civil Procedure \(Amendment\) Rules 2007 \(S.I. 2007/2204\)](#), rules 1, **20(c)**

Assignment of book debts

^{F104}**Rule 6**

(27)
(28)
(29) **1967 c. 48.**

1882 c. 43.
1967 c. 48.

Status: Point in time view as at 06/04/2016.

Changes to legislation: There are currently no known outstanding effects for the The Civil Procedure Rules 1998, SCHEDULE 1. (See end of Document for details)

Textual Amendments

F104 Sch. 1 RSC Order 95 rules 4-6 revoked (1.10.2007) by [The Civil Procedure \(Amendment\) Rules 2007 \(S.I. 2007/2204\)](#), rules 1, **20(c)**

F105 RSC ORDER 96

THE MINES (WORKING FACILITIES AND SUPPORT) ACT 1966**(30)**, ETC.

Textual Amendments

F105 Sch. 1 RSC Order 96 revoked (6.4.2008) by [The Civil Procedure \(Amendment No.2\) Rules 2007 \(S.I. 2007/3543\)](#), rules 1(b), **12**

Assignment to Chancery Division

F105 **Rule 1**

Reference by Secretary of State of certain applications

F106F105 **Rule 2**

Textual Amendments

F106 Sch. 1 RSC Order 96 rules 2-8 revoked (6.4.2007) by [The Civil Procedure \(Amendment No.3\) Rules 2006 \(S.I. 2006/3435\)](#), rules 1, **15(d)**

Issue of claim form

F106F105 **Rule 3**

Textual Amendments

F106 Sch. 1 RSC Order 96 rules 2-8 revoked (6.4.2007) by [The Civil Procedure \(Amendment No.3\) Rules 2006 \(S.I. 2006/3435\)](#), rules 1, **15(d)**

Appointment for directions

F106F105 **Rule 4**

Textual Amendments

F106 Sch. 1 RSC Order 96 rules 2-8 revoked (6.4.2007) by [The Civil Procedure \(Amendment No.3\) Rules 2006 \(S.I. 2006/3435\)](#), rules 1, **15(d)**

Status: Point in time view as at 06/04/2016.
Changes to legislation: There are currently no known outstanding effects for the
The Civil Procedure Rules 1998, SCHEDULE 1. (See end of Document for details)

Objections to application

^{F106F105}**Rule 5**

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Textual Amendments
F106 Sch. 1 RSC Order 96 rules 2-8 revoked (6.4.2007) by [The Civil Procedure \(Amendment No.3\) Rules 2006 \(S.I. 2006/3435\)](#), rules 1, **15(d)**

List of objectors

^{F106F105}**Rule 6**

.....
Textual Amendments
F106 Sch. 1 RSC Order 96 rules 2-8 revoked (6.4.2007) by [The Civil Procedure \(Amendment No.3\) Rules 2006 \(S.I. 2006/3435\)](#), rules 1, **15(d)**

Directions on further hearing

^{F106F105}**Rule 7**

.....
Textual Amendments
F106 Sch. 1 RSC Order 96 rules 2-8 revoked (6.4.2007) by [The Civil Procedure \(Amendment No.3\) Rules 2006 \(S.I. 2006/3435\)](#), rules 1, **15(d)**

Other applications

^{F106F105}**Rule 8**

.....
Textual Amendments
F106 Sch. 1 RSC Order 96 rules 2-8 revoked (6.4.2007) by [The Civil Procedure \(Amendment No.3\) Rules 2006 \(S.I. 2006/3435\)](#), rules 1, **15(d)**

RSC ORDER 97

THE LANDLORD AND TENANT ACTS 1927(31), 1954(32) AND 1987(33)

Interpretation

^{F107}**Rule 1**

(31) [1927 c. 36](#); section 1 was amended by the Landlord and Tenant Act [1954 \(c. 56\)](#),
section 47(5). Section 8 was amended by the 1954 Act, sections 45, 68(1) and schedule 7.
(32) [1954 c. 56.](#)
(33) [1987 c. 31.](#)

Textual Amendments

F107 Sch. 1 RSC Order 97 revoked (15.10.2001) by [The Civil Procedure \(Amendment\) Rules 2001 \(S.I. 2001/256\)](#), rule 1(d), **Sch. 3**

Assignment of proceedings to Chancery Division, etc.

F107 **Rule 2**

Textual Amendments

F107 Sch. 1 RSC Order 97 revoked (15.10.2001) by [The Civil Procedure \(Amendment\) Rules 2001 \(S.I. 2001/256\)](#), rule 1(d), **Sch. 3**

Issue, etc., of claim form

F107 **Rule 3**

Textual Amendments

F107 Sch. 1 RSC Order 97 revoked (15.10.2001) by [The Civil Procedure \(Amendment\) Rules 2001 \(S.I. 2001/256\)](#), rule 1(d), **Sch. 3**

Claim for compensation in respect of improvement

F107 **Rule 4**

Textual Amendments

F107 Sch. 1 RSC Order 97 revoked (15.10.2001) by [The Civil Procedure \(Amendment\) Rules 2001 \(S.I. 2001/256\)](#), rule 1(d), **Sch. 3**

Proceedings under Part I of Act of 1927

F107 **Rule 5**

Textual Amendments

F107 Sch. 1 RSC Order 97 revoked (15.10.2001) by [The Civil Procedure \(Amendment\) Rules 2001 \(S.I. 2001/256\)](#), rule 1(d), **Sch. 3**

Application for new tenancy under section 24 of Act of 1954

F107 **Rule 6**

*Status: Point in time view as at 06/04/2016.
Changes to legislation: There are currently no known outstanding effects for the
The Civil Procedure Rules 1998, SCHEDULE 1. (See end of Document for details)*

Textual Amendments

F107 Sch. 1 RSC Order 97 revoked (15.10.2001) by [The Civil Procedure \(Amendment\) Rules 2001 \(S.I. 2001/256\)](#), rule 1(d), [Sch. 3](#)

Application to authorise agreement

F107 **Rule 6A**

Textual Amendments

F107 Sch. 1 RSC Order 97 revoked (15.10.2001) by [The Civil Procedure \(Amendment\) Rules 2001 \(S.I. 2001/256\)](#), rule 1(d), [Sch. 3](#)

Evidence on application under section 24 of Act of 1954

F107 **Rule 7**

Textual Amendments

F107 Sch. 1 RSC Order 97 revoked (15.10.2001) by [The Civil Procedure \(Amendment\) Rules 2001 \(S.I. 2001/256\)](#), rule 1(d), [Sch. 3](#)

Parties to certain proceedings

F107 **Rule 8**

Textual Amendments

F107 Sch. 1 RSC Order 97 revoked (15.10.2001) by [The Civil Procedure \(Amendment\) Rules 2001 \(S.I. 2001/256\)](#), rule 1(d), [Sch. 3](#)

Order dismissing application under section 24 which is successfully opposed

F107 **Rule 9**

Textual Amendments

F107 Sch. 1 RSC Order 97 revoked (15.10.2001) by [The Civil Procedure \(Amendment\) Rules 2001 \(S.I. 2001/256\)](#), rule 1(d), [Sch. 3](#)

Application to determine interim rent

F107 **Rule 9A**

Textual Amendments

F107 Sch. 1 RSC Order 97 revoked (15.10.2001) by [The Civil Procedure \(Amendment\) Rules 2001 \(S.I. 2001/256\)](#), rule 1(d), [Sch. 3](#)

Other applications under Part II of Act of 1954

F107 **Rule 10**

Textual Amendments

F107 Sch. 1 RSC Order 97 revoked (15.10.2001) by [The Civil Procedure \(Amendment\) Rules 2001 \(S.I. 2001/256\)](#), rule 1(d), [Sch. 3](#)

Transfer of proceedings from county court

F107 **Rule 11**

Textual Amendments

F107 Sch. 1 RSC Order 97 revoked (15.10.2001) by [The Civil Procedure \(Amendment\) Rules 2001 \(S.I. 2001/256\)](#), rule 1(d), [Sch. 3](#)

Application for relief under section 16, etc., of the Act of 1954

F107 **Rule 12**

Textual Amendments

F107 Sch. 1 RSC Order 97 revoked (15.10.2001) by [The Civil Procedure \(Amendment\) Rules 2001 \(S.I. 2001/256\)](#), rule 1(d), [Sch. 3](#)

Evidence of rateable value

F107 **Rule 13**

Textual Amendments

F107 Sch. 1 RSC Order 97 revoked (15.10.2001) by [The Civil Procedure \(Amendment\) Rules 2001 \(S.I. 2001/256\)](#), rule 1(d), [Sch. 3](#)

Application under section 19 of the Act of 1987

F107 **Rule 14**

*Status: Point in time view as at 06/04/2016.
Changes to legislation: There are currently no known outstanding effects for the
The Civil Procedure Rules 1998, SCHEDULE 1. (See end of Document for details)*

Textual Amendments

F107 Sch. 1 RSC Order 97 revoked (15.10.2001) by [The Civil Procedure \(Amendment\) Rules 2001 \(S.I. 2001/256\)](#), rule 1(d), [Sch. 3](#)

Application for order under section 24 of the Act of 1987

F107 **Rule 15**

Textual Amendments

F107 Sch. 1 RSC Order 97 revoked (15.10.2001) by [The Civil Procedure \(Amendment\) Rules 2001 \(S.I. 2001/256\)](#), rule 1(d), [Sch. 3](#)

Application for acquisition order under section 29 of the Act of 1987

F107 **Rule 16**

Textual Amendments

F107 Sch. 1 RSC Order 97 revoked (15.10.2001) by [The Civil Procedure \(Amendment\) Rules 2001 \(S.I. 2001/256\)](#), rule 1(d), [Sch. 3](#)

Application for order under section 38 or section 40 of the Act of 1987

F107 **Rule 17**

Textual Amendments

F107 Sch. 1 RSC Order 97 revoked (15.10.2001) by [The Civil Procedure \(Amendment\) Rules 2001 \(S.I. 2001/256\)](#), rule 1(d), [Sch. 3](#)

Service of notices in proceedings under the Act of 1987

F107 **Rule 18**

Textual Amendments

F107 Sch. 1 RSC Order 97 revoked (15.10.2001) by [The Civil Procedure \(Amendment\) Rules 2001 \(S.I. 2001/256\)](#), rule 1(d), [Sch. 3](#)

Tenants' associations

F107 **Rule 19**

Textual Amendments

F107 Sch. 1 RSC Order 97 revoked (15.10.2001) by [The Civil Procedure \(Amendment\) Rules 2001 \(S.I. 2001/256\)](#), rule 1(d), **Sch. 3**

RSC ORDER 98

LOCAL GOVERNMENT FINANCE ACT 1982(34), PART III

Interpretation

F108 **Rule 1**

Textual Amendments

F108 Sch. 1 RSC Order 98 revoked (30.6.2004) by [The Civil Procedure \(Amendment\) Rules 2004 \(S.I. 2004/1306\)](#), rules 1(b), **21(c)**

Application by auditor for declaration

F108 **Rule 2**

Textual Amendments

F108 Sch. 1 RSC Order 98 revoked (30.6.2004) by [The Civil Procedure \(Amendment\) Rules 2004 \(S.I. 2004/1306\)](#), rules 1(b), **21(c)**

Appeal against decision of auditor

F108 **Rule 3**

Textual Amendments

F108 Sch. 1 RSC Order 98 revoked (30.6.2004) by [The Civil Procedure \(Amendment\) Rules 2004 \(S.I. 2004/1306\)](#), rules 1(b), **21(c)**

General provisions

F108 **Rule 4**

Textual Amendments

F108 Sch. 1 RSC Order 98 revoked (30.6.2004) by [The Civil Procedure \(Amendment\) Rules 2004 \(S.I. 2004/1306\)](#), rules 1(b), **21(c)**

*Status: Point in time view as at 06/04/2016.
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The Civil Procedure Rules 1998, SCHEDULE 1. (See end of Document for details)*

F109 RSC ORDER 99

INHERITANCE (PROVISION FOR FAMILY AND DEPENDANTS) ACT 1975

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Textual Amendments

F109 Sch. 1 RSC Order 99 revoked (2.12.2002) by [The Civil Procedure \(Amendment\) Rules 2002 \(S.I. 2002/2058\)](#), rule 1(b), **Sch. 10**

Order to apply to High Court and County Court

F109 **Rule A1**

Interpretation

F109 **Rule 1**

Assignment to Chancery or Family Division if proceedings in High Court

F109 **Rule 2**

Application for financial provision

F109 **Rule 3**

Powers of Court as to parties

F109 **Rule 4**

Witness statement or affidavit in answer

F109 **Rule 5**

Separate representation

F109 **Rule 6**

Endorsement of memorandum on grant

F109 **Rule 7**

Disposal of proceedings in private

F109 **Rule 8**

Subsequent applications in proceedings under section 1

F109 **Rule 9**

Drawing up and service of orders

F109 **Rule 10**

RSC ORDER 101

THE PENSIONS APPEAL TRIBUNALS ACT 1943

Assignment to Queen's Bench Division

^{F110}Rule 1

Textual Amendments

F110 Sch. 1 RSC Order 101 revoked (2.5.2000) by [The Civil Procedure \(Amendment\) Rules 2000 \(S.I. 2000/221\)](#), rule 1(b), **Sch. 8** (with [rule 39\(b\)](#)) (as amended by [S.I. 2000/940](#), rules 1, 2)

Construction of reference to judge

^{F110}Rule 2

Textual Amendments

F110 Sch. 1 RSC Order 101 revoked (2.5.2000) by [The Civil Procedure \(Amendment\) Rules 2000 \(S.I. 2000/221\)](#), rule 1(b), **Sch. 8** (with [rule 39\(b\)](#)) (as amended by [S.I. 2000/940](#), rules 1, 2)

Application for permission to appeal

^{F110}Rule 3

Textual Amendments

F110 Sch. 1 RSC Order 101 revoked (2.5.2000) by [The Civil Procedure \(Amendment\) Rules 2000 \(S.I. 2000/221\)](#), rule 1(b), **Sch. 8** (with [rule 39\(b\)](#)) (as amended by [S.I. 2000/940](#), rules 1, 2)

Appeal

^{F110}Rule 4

Textual Amendments

F110 Sch. 1 RSC Order 101 revoked (2.5.2000) by [The Civil Procedure \(Amendment\) Rules 2000 \(S.I. 2000/221\)](#), rule 1(b), **Sch. 8** (with [rule 39\(b\)](#)) (as amended by [S.I. 2000/940](#), rules 1, 2)

*Status: Point in time view as at 06/04/2016.
Changes to legislation: There are currently no known outstanding effects for the
The Civil Procedure Rules 1998, SCHEDULE 1. (See end of Document for details)*

F111 RSC ORDER 106

PROCEEDINGS RELATING TO SOLICITORS: THE SOLICITORS ACT 1974(35)

Textual Amendments
F111 Sch. 1 RSC Order 106 revoked (1.4.2005) by [The Civil Procedure \(Amendment No. 4\) Rules 2004 \(S.I. 2004/3419\)](#), rules 1, **17(b)**

Interpretation

F111 Rule 1

Jurisdiction under Part III of Act

F111 Rule 2

Power to order solicitor to deliver cash account, etc.

F111 Rule 3

Certificate to be submitted with solicitor’s application for detailed assessment

F111 Rule 5A

Applications under Schedule 1 to Act

F111 Rule 6

Defendants to applications under Schedule 1 to Act

F111 Rule 7

Interim order restricting payment out of banking account

F111 Rule 8

Adding parties, etc.

F111 Rule 9

Service of documents

F111 Rule 10

Constitution of Divisional Court to hear appeals

F111 Rule 11

Title, service, etc., of notice of appeal

^{F111}**Rule 12**

Law Society to produce certain documents

^{F111}**Rule 13**

Restriction on requiring security for costs

^{F111}**Rule 14**

Disciplinary committee's opinion may be required

^{F111}**Rule 15**

Persons entitled to be heard on appeal

^{F111}**Rule 16**

Discontinuance of appeal

^{F111}**Rule 17**

^{F112}**RSC ORDER 108**

PROCEEDINGS RELATING TO CHARITIES: THE CHARITIES ACT 1993

Textual Amendments

^{F112} **Sch. 1** RSC Order 108 revoked (2.12.2002) by [The Civil Procedure \(Amendment\) Rules 2002 \(S.I. 2002/2058\)](#), rule 1(b), **Sch. 10**

Interpretation

^{F112}**Rule 1**

Assignment to Chancery Division

^{F112}**Rule 2**

Application for permission to appeal or to take charity proceedings

^{F112}**Rule 3**

Application for enforcement of order or direction of Commissioners

^{F112}**Rule 4**

*Status: Point in time view as at 06/04/2016.
Changes to legislation: There are currently no known outstanding effects for the
The Civil Procedure Rules 1998, SCHEDULE 1. (See end of Document for details)*

Appeal against order, etc., of Commissioners

^{F112}**Rule 5**

Service on Commissioners

^{F112}**Rule 6**

RSC ORDER 109

THE ADMINISTRATION OF JUSTICE ACT 1960(36)

Applications under Act

Rule 1.—(1) Any of the following applications, that is to say—

- (a) an application under section 2 of the Administration of Justice Act 1960, or under that section as applied by section 13 of that Act, to extend the time within which an application may be made to a Divisional Court for permission to appeal to the [^{F113}Supreme Court] under section 1 of that Act, or section 13 thereof, from an order or decision of that Court, and
- (b) an application by a defendant under section 9 (3) of that Act to a Divisional Court for permission to be present on the hearing of any proceedings preliminary or incidental to an appeal to the [^{F114}Supreme Court] under section 1 of that Act from a decision of that Court

must be made to a Divisional Court except in vacation when it may be made to a judge ^{F115}...

(2) Any such application to a Divisional Court, if not made in the proceedings before the Divisional Court from whose order or decision the appeal in question is brought, must be made by the issue of a claim form ^{F116}....

(3) Any such application to a judge ^{F117}... must, in the case of such an application as is referred to in paragraph (1)(a) be made by the issue of a claim form and, in the case of such an application as is referred to in paragraph (1)(b) need not be served on any other person unless, in the latter case, the judge otherwise directs.

(4) No application notice or copy of the claim form (as the case may be) by which such an application as is referred to in paragraph (1)(b) is made, need be given to any party affected thereby unless the Divisional Court otherwise directs.

(5) Where any application to which this rule applies is made in vacation to a single judge and the judge refuses the application, the applicant shall be entitled to have the application determined by a Divisional Court.

Textual Amendments

F113 Words in Sch. 1 RSC Order 109 rule 1(1)(a) substituted (1.10.2009) by [The Civil Procedure \(Amendment\) Rules 2009 \(S.I. 2009/2092\)](#), rules 1(2), **21(a)(i)**

F114 Words in Sch. 1 RSC Order 109 rule 1(1)(b) substituted (1.10.2009) by [The Civil Procedure \(Amendment\) Rules 2009 \(S.I. 2009/2092\)](#), rules 1(2), **21(a)(ii)**

F115 Words in Sch. 1 RSC Order 109 rule 1(1) omitted (26.4.1999) by virtue of [The Civil Procedure \(Amendment\) Rules 1999 \(S.I. 1999/1008\)](#), rules 1, **62(i)**

F116 Words in Sch. 1 RSC Order 109 rule 1(2) omitted (26.4.1999) by virtue of [The Civil Procedure \(Amendment\) Rules 1999 \(S.I. 1999/1008\)](#), rules 1, **55**

F117 Words in Sch. 1 RSC Order 109 rule 1(3) omitted (26.4.1999) by virtue of [The Civil Procedure \(Amendment\) Rules 1999 \(S.I. 1999/1008\)](#), rules 1, **62(i)**

Appeals under section 13 of Act

Rule 2.—(1) An appeal to a Divisional Court of the High Court under section 13 of the Administration of Justice Act 1960, shall be heard and determined by a Divisional Court of the Queen’s Bench Division.

^{F118}(3)

(4) Unless the Court gives permission, there shall be not more than 4 clear days between the date on which the order or decision appealed against was made and the day named in the notice of appeal for the hearing of the appeal.

(5) The notice must be served, and the appeal entered, not less than one clear day before the day named in the notice for the hearing of the appeal.

Textual Amendments

F118 Sch. 1 RSC Order 109 rule 2(3) omitted (2.5.2000) by virtue of [The Civil Procedure \(Amendment\) Rules 2000 \(S.I. 2000/221\)](#), rules 1(b), **29(a)**

Release of appellant on bail

Rule 3.—(1) Where, in the case of an appeal under section 13 of the Administration of Justice Act 1960, to a Divisional Court or to the [^{F119}Supreme Court] from a Divisional Court, the appellant is in custody, the High Court may order his release on his giving security (whether by recognizance, with or without sureties, or otherwise and for such reasonable sum as the Court may fix) for his appearance, within 10 days after the judgment of the Divisional Court or, as the case may be, of the [^{F119}Supreme Court], on the appeal before the court from whose order or decision the appeal is brought unless the order or decision is reversed by that judgment.

(2) Order 79, rule 9 (1) to (6) and (8) shall apply in relation to an application to the High Court for bail pending an appeal under the said section 13 to which this rule applies, and to the admission of a person to bail in pursuance of an order made on the application, as they apply in relation to an application to that Court for bail in criminal proceedings, and to the admission of a person to bail in pursuance of an order made on the application, but with the substitution, for references to the defendant, of references to the appellant, and, for references to the prosecutor, of references to the court officer of the court from whose order or decision the appeal is brought and to the parties to the proceedings in that court who are directly affected by the appeal.

Textual Amendments

F119 Words in Sch. 1 RSC Order 109 rule 3(1) substituted (1.10.2009) by [The Civil Procedure \(Amendment\) Rules 2009 \(S.I. 2009/2092\)](#), rules 1(2), **21(b)**

[^{F120}Release of appellant on bail by the Court of Appeal

Rule 4.—(1) Where, in the case of an appeal under section 13 of the Administration of Justice Act 1960 to the Court of Appeal or to the [^{F121}Supreme Court] from the Court of Appeal, the appellant is in

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custody, the Court of Appeal may order his release on his giving security (whether by recognisance, with or without sureties, or otherwise and for such reasonable sum as that court may fix) for his appearance within 10 days after the judgment of the Court of Appeal or, as the case may be, of the ^{F121}Supreme Court] on the appeal shall have been given, before the court from whose order or decision the appeal is brought unless the order or decision is reversed by that judgment.

(2) An application for the release of a person under paragraph (1) pending an appeal to the Court of Appeal or ^{F122}the Supreme Court] under the said section 13 must be made in accordance with CPR Part 23, and the application notice must, at least 24 hours before the day named therein for the hearing, be served on the court from whose order or decision the appeal is brought and on all parties to the proceedings in that court who are directly affected by the appeal.

(3) Order 79, rules 9(6), (6A), (6B) and (8) shall apply in relation to the grant of bail under this rule by the Court of Appeal in a case of criminal contempt of court as they apply in relation to the grant of bail in criminal proceedings by the High Court, but with the substitution for references to a judge of references to the Court of Appeal and for references to the defendant of references to the appellant.

(4) When granting bail under this rule in a case of civil contempt of court, the Court of Appeal may order that the recognisance or other security to be given by the appellant or the recognisance of any surety shall be given before any person authorised by virtue of section 119(1) of the Magistrates' Courts Act 1980 to take a recognisance where a magistrates' court having power to take it has, instead of taking it, fixed the amount in which the principal and his sureties, if any, are to be bound. An order by the Court of Appeal granting bail as aforesaid must be in Form 98 in ^{F123}Practice Direction 4] with the necessary adaptations.

(5) Where in pursuance of an order of the Court of Appeal under paragraph (4) of this rule a recognisance is entered into or other security given before any person, it shall be the duty of that person to cause the recognisance of the appellant or any surety or, as the case may be, a statement of the other security given, to be transmitted forthwith to the ^{F124}^{F125}designated officer] for] the court which committed the appellant; and a copy of such recognisance or statement shall at the same time be sent to the governor or keeper of the prison or other place of detention in which the appellant is detained, unless the recognisance or security was given before such governor or keeper.

(6) The powers conferred on the Court of Appeal by paragraphs (1), (3) and (4) of this rule may be exercised by a single judge.]

Textual Amendments

- F120** Sch. 1 RSC Order 109 rule 4 inserted (2.5.2000) by [The Civil Procedure \(Amendment\) Rules 2000 \(S.I. 2000/221\)](#), rule 1(b), **Sch. 7**
- F121** Words in Sch. 1 RSC Order 109 rule 4(1) substituted (1.10.2009) by [The Civil Procedure \(Amendment\) Rules 2009 \(S.I. 2009/2092\)](#), rules 1(2), **21(c)(i)**
- F122** Words in Sch. 1 RSC Order 109 rule 4(2) substituted (1.10.2009) by [The Civil Procedure \(Amendment\) Rules 2009 \(S.I. 2009/2092\)](#), rules 1(2), **21(c)(ii)**
- F123** Words in Sch. 1 RSC Order 109 rule 4(4) substituted (6.4.2010) by [The Civil Procedure \(Amendment No.2\) Rules 2009 \(S.I. 2009/3390\)](#), rules 1(2), **57**
- F124** Words in Sch. 1 RSC Order 109 rule 4(5) substituted (1.4.2001) by [The Civil Procedure \(Amendment\) Rules 2001 \(S.I. 2001/256\)](#), rules 1(b), **23**
- F125** Words in Sch. 1 RSC Order 109 rule 4(5) substituted (1.4.2005) by [The Courts Act 2003 \(Consequential Provisions\) \(No. 2\) Order 2005 \(S.I. 2005/617\)](#), art. 1, **Sch. para. 175**

Status: Point in time view as at 06/04/2016.

Changes to legislation: There are currently no known outstanding effects for the The Civil Procedure Rules 1998, SCHEDULE 1. (See end of Document for details)

F126 RSC ORDER 110

ENVIRONMENTAL CONTROL PROCEEDINGS

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Textual Amendments

F126 Sch. 1 RSC Order 110 revoked (6.4.2007) by [The Civil Procedure \(Amendment No.3\) Rules 2006 \(S.I. 2006/3435\)](#), rules 1, **15(e)**

Injunctions to prevent environmental harm

F126 **Rule 1**

RSC ORDER 111

THE SOCIAL SECURITY ADMINISTRATION ACT 1992

Judge by whom appeals and references to be heard

F127 **Rule 1**

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Textual Amendments

F127 Sch. 1 RSC Order 111 revoked (2.5.2000) by [The Civil Procedure \(Amendment\) Rules 2000 \(S.I. 2000/221\)](#), rule 1(b), **Sch. 8** (with rule 39(b)) (as amended by S.I. 2000/940, rules 1, 2)

F127

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Textual Amendments

F127 Sch. 1 RSC Order 111 revoked (2.5.2000) by [The Civil Procedure \(Amendment\) Rules 2000 \(S.I. 2000/221\)](#), rule 1(b), **Sch. 8** (with rule 39(b)) (as amended by S.I. 2000/940, rules 1, 2)

F127

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Textual Amendments

F127 Sch. 1 RSC Order 111 revoked (2.5.2000) by [The Civil Procedure \(Amendment\) Rules 2000 \(S.I. 2000/221\)](#), rule 1(b), **Sch. 8** (with rule 39(b)) (as amended by S.I. 2000/940, rules 1, 2)

F127

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Textual Amendments

F127 Sch. 1 RSC Order 111 revoked (2.5.2000) by [The Civil Procedure \(Amendment\) Rules 2000](#) (S.I. 2000/221), rule 1(b), **Sch. 8** (with rule 39(b)) (as amended by S.I. 2000/940, rules 1, 2)

F127

Textual Amendments

F127 Sch. 1 RSC Order 111 revoked (2.5.2000) by [The Civil Procedure \(Amendment\) Rules 2000](#) (S.I. 2000/221), rule 1(b), **Sch. 8** (with rule 39(b)) (as amended by S.I. 2000/940, rules 1, 2)

F128 RSC ORDER 112

[^{F129} APPLICATIONS FOR USE OF SCIENTIFIC TESTS IN DETERMINING PARENTAGE]

Textual Amendments

F128 Sch. 1 Order 112 revoked (2.10.2006) by [The Civil Procedure \(Amendment\) Rules 2006](#) (S.I. 2006/1689), rules 1, **12(c)**

F129 Sch. 1 RSC Order 112 heading substituted (1.4.2001) by [The Civil Procedure \(Amendment\) Rules 2001](#) (S.I. 2001/256), rules 1(c), **24(a)**

Interpretation

^{F128}**Rule 1**

Application for direction

^{F128}**Rule 2**

Applications involving children under 16 and patients

^{F128}**Rule 3**

Addition as a party of person to be tested

^{F128}**Rule 4**

Service of direction and adjournment of proceedings

^{F128}**Rule 5**

Service of copy report

^{F128}**Rule 6**

F130 RSC ORDER 113

SUMMARY PROCEEDINGS FOR POSSESSION OF LAND

Textual Amendments

F130 Sch. 1 RSC Order 113 omitted (6.4.2014) by virtue of [The Civil Procedure \(Amendment\) Rules 2014](#) (S.I. 2014/407), rules 2(3), **37(e)** (with rule 41)

Proceedings to be brought by claim form

F130 **Rule 1**

Jurisdiction of Masters

F130 **Rule 1A**

Forms of claim form

F130 **Rule 2**

Witness statement or affidavit in support

F130 **Rule 3**

Service of claim form

F130 **Rule 4**

Application by occupier to be made a party

F130 **Rule 5**

Order for possession

F130 **Rule 6**

Writ of possession

Rule 7 ^{F130}

Setting aside order

F130 **Rule 8**

Status: Point in time view as at 06/04/2016.
Changes to legislation: There are currently no known outstanding effects for the
The Civil Procedure Rules 1998, SCHEDULE 1. (See end of Document for details)

F131 RSC ORDER 114
REFERENCES TO THE EUROPEAN COURT

Textual Amendments
F131 Sch. 1 RSC Order 114 revoked (2.12.2002) by [The Civil Procedure \(Amendment\) Rules 2002 \(S.I. 2002/2058\)](#), rule 1(b), **Sch. 10**

Interpretation

F131 Rule 1

Making of order

F131 Rule 2

Schedule to order to set out request for ruling

F131 Rule 3

Stay of proceedings pending ruling

F131 Rule 4

Transmission of order to the European Court

F131 Rule 5

Appeals from orders made by High Court

F131 Rule 6

RSC ORDER 115
CONFISCATION AND FORFEITURE IN
CONNECTION WITH CRIMINAL PROCEEDINGS

***I. Drug Trafficking Act 1994(37) and Criminal
Justice (International Co-operation) Act 1990(38)***

Interpretation

Rule 1.—(1) In this Part of this Order, “The Act” means the Drug Trafficking Act 1994 and a section referred to by number means the section so numbered in the Act.

(37)
(38)

1994 c. 37.
1990 c. 5.
84

(2) Expressions used in this Part of this Order which are used in the Act have the same meanings in this Part of this Order as in the Act and include any extended meaning given by the Criminal Justice (Confiscation) (Northern Ireland) Order 1990.

Assignment of proceedings

Rule 2 Subject to rule 12, the jurisdiction of the High Court under the Act shall be exercised by a judge of the Chancery Division or of the Queen’s Bench Division ^{F132}....

Textual Amendments

F132 Words in [Sch. 1 RSC Order 115 rule 2](#) omitted (26.4.1999) by virtue of [The Civil Procedure \(Amendment\) Rules 1999 \(S.I. 1999/1008\)](#), rules 1, [62\(j\)](#)

Title of proceedings

Rule 2A An application made in accordance with CPR Part 23, or a claim form issued in relation to proceedings under this Part of this Order shall be entitled in the matter of the defendant, naming him, and in the matter of the Act, and all subsequent documents in the matter shall be so entitled.

Application for confiscation order

Rule 2B.—(1) An application by the prosecutor for a confiscation order under section 19 shall be made in accordance with CPR Part 23 where there have been proceedings against the defendant in the High Court, and shall otherwise be made by the issue of a claim form.

(2) The application shall be supported by a witness statement or affidavit giving full particulars of the following matters—

- (a) the grounds for believing that the defendant has died or absconded;
- (b) the date or approximate date on which the defendant died or absconded;
- (c) where the application is made under section 19 (2), the offence or offences of which the defendant was convicted, and the date and place of conviction;
- (d) where the application is made under section 19 (4), the proceedings which have been initiated against the defendant (including particulars of the offence and the date and place of institution of those proceedings); and
- (e) where the defendant is alleged to have absconded, the steps taken to contact him.

(3) The prosecutor’s statement under section 11 shall be exhibited to the witness statement or affidavit and shall include the following particulars—

- (a) the name of the defendant;
- (b) the name of the person by whom the statement is given;
- (c) such information known to the prosecutor as is relevant to the determination whether the defendant has benefited from drug trafficking and to the assessment of the value of his proceeds of drug trafficking.

(4) Unless the Court otherwise orders, a witness statement or affidavit under paragraph (2) may contain statements of information and belief, with their sources and grounds.

(5) The application and the witness statement or affidavit in support shall be served not less than 7 days before the date fixed for the hearing of the application on—

- (a) the defendant (or on the personal representatives of a deceased defendant);

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- (b) any person who the prosecutor reasonably believes is likely to be affected by the making of a confiscation order; and
- (c) the receiver, where one has been appointed in the matter.

Application for restraint order or charging order

Rule 3.—(1) An application for a restraint order under section 26 or for a charging order under section 27 (to either of which may be joined an application for the appointment of a receiver) may be made by the prosecutor by the issue of a claim form, notice of which need not be served on any other party.

(2) An application under paragraph (1) shall be supported by a witness statement or affidavit, which shall—

- (a) give the grounds for the application; and
- (b) to the best of the witness’s ability, give full particulars of the realisable property in respect of which the order is sought and specify the person or persons holding such property.

(3) Unless the Court otherwise directs, a witness statement or affidavit under paragraph (2) may contain statements of information or belief with the sources and grounds thereof.

Restraint order and charging order

Rule 4.—(1) A restraint order may be made subject to conditions and exceptions, including but not limited to conditions relating to the indemnifying of third parties against expenses incurred in complying with the order, and exceptions relating to living expenses and legal expenses of the defendant, but the prosecutor shall not be required to give an undertaking to abide by any order as to damages sustained by the defendant as a result of the restraint order.

(2) Unless the Court otherwise directs, a restraint order made where notice of it has not been served on any person shall have effect until a day which shall be fixed for the hearing where all parties may attend on the application and a charging order shall be an order to show cause, imposing the charge until such day.

(3) Where a restraint order is made the prosecutor shall serve copies of the order and of the witness statement or affidavit in support on the defendant and on all other named persons restrained by the order and shall notify all other persons or bodies affected by the order of its terms.

(4) Where a charging order is made the prosecutor shall serve copies of the order and of the witness statement or affidavit in support on the defendant and, where the property to which the order relates is held by another person, on that person and shall serve a copy of the order on such of the persons or bodies [^{F133}specified in CPR rule [^{F134}73.7(7)(e) to (g)]] as shall be appropriate.

Textual Amendments

F133 Words in Sch. 1 RSC Order 115 rule 4(4) substituted (25.3.2002) by [The Civil Procedure \(Amendment No. 4\) Rules 2001 \(S.I. 2001/2792\)](#), rules 1(c), **11** (with rule 24)

F134 Words in Sch. 1 RSC Order 155 rule 4(4) substituted (6.4.2016) by [The Civil Procedure \(Amendment\) Rules 2016 \(S.I. 2016/234\)](#), rules 2, **21** (with rule 24)

Discharge or variation of order

Rule 5.—(1) Any person or body on whom a restraint order or a charging order is served or who is notified of such an order may make an application in accordance with CPR Part 23 to discharge or vary the order.

(2) The [^{F135}application notice] and any witness statement or affidavit in support shall be lodged with the court and served on the prosecutor and, where he is not the applicant, on the defendant, not less than two clear days before the date fixed for the hearing of the [^{F136}application].

(3) Upon the court being notified that proceedings for the offences have been concluded or that the amount, payment of which is secured by a charging order has been paid into court, any restraint order or charging order, as the case may be, shall be discharged.

(4) The Court may also discharge a restraint order or a charging order upon receiving notice from the prosecutor that it is no longer appropriate for the restraint order or the charging order to remain in place.

Textual Amendments

F135 Words in Sch. 1 RSC Order 115 rule 5(2) substituted (26.4.1999) by [The Civil Procedure \(Amendment\) Rules 1999 \(S.I. 1999/1008\)](#), rules 1, **60(a)(i)**

F136 Word in Sch. 1 RSC Order 115 rule 5(2) substituted (26.4.1999) by [The Civil Procedure \(Amendment\) Rules 1999 \(S.I. 1999/1008\)](#), rules 1, **60(a)(ii)**

Further application by prosecutor

Rule 6.—(1) Where a restraint order or a charging order has been made the prosecutor may apply by an application in accordance with CPR Part 23 with notice or, where the case is one of urgency or the giving of notice would cause a reasonable apprehension of dissipation of assets, without notice—

- (a) to vary such order, or
- (b) for a restraint order or a charging order in respect of other realisable property, or
- (c) for the appointment of a receiver.

(2) An application under paragraph (1) shall be supported by a witness statement or affidavit which, where the application is for a restraint order or a charging order, shall to the best of the witness's ability give full particulars of the realisable property in respect of which the order is sought and specify the person or persons holding such property.

(3) The application and witness statement or affidavit in support shall be lodged with the court and served on the defendant and, where one has been appointed in the matter, on the receiver, not less than two clear days before the date fixed for the hearing of the [^{F137}application].

(4) Rule 4 (3) and (4) shall apply to the service of restraint orders and charging orders respectively made under this rule on persons other than the defendant.

Textual Amendments

F137 Word in Sch. 1 RSC Order 115 rule 6(3) substituted (26.4.1999) by [The Civil Procedure \(Amendment\) Rules 1999 \(S.I. 1999/1008\)](#), rules 1, **60(b)**

Realisation of property

Rule 7.—(1) An application by the prosecutor under section 29 shall, where there have been proceedings against the defendant in the High Court, be made by an application in accordance with CPR Part 23 and shall otherwise be made by the issue of a claim form

(2) The application notice or claim form, as the case may be, shall be served with the evidence in support not less than 7 days before the date fixed for the hearing of the application or claim on:—

- (a) the defendant,

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- (b) any person holding any interest in the realisable property to which the application relates, and
- (c) the receiver, where one has been appointed in the matter.

(3) The application shall be supported by a witness statement or affidavit, which shall, to the best of the witness's ability, give full particulars of the realisable property to which it relates and specify the person or persons holding such property, and a copy of the confiscation order, of any certificate issued by the Crown Court under section 5 (2) and of any charging order made in the matter shall be exhibited to such witness statement or affidavit.

(4) The Court may, on an application under section 29—

- (a) exercise the power conferred by section 30 (2) to direct the making of payments by a receiver;
- (b) give directions in respect of the property interests to which the application relates; and
- (c) make declarations in respect of those interests.

Receivers

Rule 8.—(1) Subject to the provisions of this rule, the provisions of [^{F138}CPR Part 69] shall apply where a receiver is appointed in pursuance of a charging order or under sections 26 or 29.

(2) Where the receiver proposed to be appointed has been appointed receiver in other proceedings under the Act, it shall not be necessary for a witness statement or affidavit of fitness to be sworn or for the receiver to give security, unless the Court otherwise orders.

(3) Where a receiver has fully paid the amount payable under the confiscation order and any sums remain in his hands, he shall make an application to the court for directions in accordance with CPR Part 23, as to the distribution of such sums.

(4) An application under paragraph (3) shall be served with any evidence in support not less than 7 days before the date fixed for the hearing of the application on:—

- (a) the defendant, and
- (b) any other person who held property realised by the receiver.

(5) A receiver may apply for an order to discharge him from his office by making an application in accordance with CPR Part 23, which shall be served, together with any evidence in support, on all persons affected by his appointment not less than 7 days before the day fixed for the hearing of the application.

Textual Amendments

F138 Words in [Sch. 1 RSC Order 115 rule 8\(1\)](#) substituted (2.12.2002) by [The Civil Procedure \(Amendment\) Rules 2002 \(S.I. 2002/2058\)](#), [rules 1\(b\)](#), [32](#)

Certificate of inadequacy

Rule 9.—(1) The defendant or a receiver appointed under section 26 or 29 or in pursuance of a charging order may apply in accordance with CPR Part 23 for a certificate under section 17 (1).

(2) An application under paragraph (1) shall be served with any supporting evidence not less than 7 days before the date fixed for the hearing of the application on the prosecutor and, as the case may be, on either the defendant or the receiver (where one has been appointed).

Certificate under section 16

Rule 9A An application under section 16 (2) (increase in realisable property) shall be served with any supporting evidence not less than 7 days before the date fixed for the hearing of the application on the defendant and, as the case may be, on either the prosecutor or (where one has been appointed in the matter) on the receiver.

Compensation

Rule 10 An application for an order under section 18 shall be made in accordance with CPR Part 23, which shall be served, with any supporting evidence, on the person alleged to be in default and on the relevant authority under section 18 (5) not less than 7 days before the date fixed for the hearing of the application.

Disclosure of information

Rule 11.—(1) An application by the prosecutor under section 59 shall be made in accordance with CPR Part 23 and the application notice shall state the nature of the order sought and whether material sought to be disclosed is to be disclosed to a receiver appointed under section 26 or 29 or in pursuance of a charging order or to a person mentioned in section 59 (8).

(2) The application notice and witness statement or affidavit in support shall be served on the authorised Government Department in accordance with Order 77, rule 4 not less than 7 days before the date fixed for the hearing of the application.

(3) The witness statement or affidavit in support of an application under paragraph (1) shall state the grounds for believing that the conditions in section 59 (4) and, if appropriate, section 59 (7) are fulfilled.

Compensation for, discharge and variation of confiscation order

Rule 11A.—(1) An application under section 21, 22 or 23 shall be made in accordance with CPR Part 23 which, together with any evidence in support, shall be lodged with the Court and served on the prosecutor not less than 7 days before the day fixed for the hearing of the application.

(2) Notice shall also be served on any receiver appointed in pursuance of a charging order or under section 26 or 29.

(3) An application for an order under section 22 shall be supported by a witness statement or affidavit giving details of—

- (a) the confiscation order made under section 19 (4);
- (b) the acquittal of the defendant;
- (c) the realisable property held by the defendant; and
- (d) the loss suffered by the applicant as a result of the confiscation order.

(4) An application for an order under section 23 shall be supported by a witness statement or affidavit giving details of—

- (a) the confiscation order made under section 19 (4);
- (b) the date on which the defendant ceased to be an absconder;
- (c) the date on which proceedings against the defendant were instituted and a summary of the steps taken in the proceedings since then; and
- (d) any indication given by the prosecutor that he does not intend to proceed against the defendant.

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(5) An application made under section 21 shall be supported by a witness statement or affidavit giving details of—

- (a) the confiscation order made under section 19(4);
- (b) the circumstances in which the defendant ceased to be an absconder; and
- (c) the amounts referred to in section 21 (2).

(6) Where an application is made for an order under section 23 (3) or 24 (2)(b), the witness statement or affidavit shall also include—

- (a) details of the realisable property to which the application relates; and
- (b) details of the loss suffered by the applicant as a result of the confiscation order.

(7) Unless the Court otherwise orders, a witness statement or affidavit under paragraphs (3) to (6) may contain statements of information and belief, with the sources and grounds thereof.

Exercise of powers under sections 37 and 40

Rule 12 The powers conferred on the High Court by sections 37 and 40 may be exercised by a judge [^{F139}or] a master of the Queen’s Bench Division.

Textual Amendments

F139 Word in Sch. 1 RSC Order 115 rule 12 substituted (26.4.1999) by [The Civil Procedure \(Amendment\) Rules 1999 \(S.I. 1999/1008\)](#), rules 1, **60(c)**

Application for registration

Rule 13 An application for registration of an order specified in an Order in Council made under section 37 or of an external confiscation order under section 40 (1) must be made in accordance with CPR Part 23, and may be made without notice.

Evidence in support of application under section 37

Rule 14 An application for registration of an order specified in an Order in Council made under section 37 must be made in accordance with CPR Part 23, and be supported by a witness statement or affidavit—

- (i) exhibiting the order or a certified copy thereof, and
- (ii) stating, to the best of the witness’s knowledge, particulars of what property the person against whom the order was made holds in England and Wales, giving the source of the witness’s knowledge.

Evidence in support of application under section 40 (1)

Rule 15.—(1) An application for registration of an external confiscation order must be made in accordance with CPR Part 23, and be supported by a witness statement or affidavit—

- (a) exhibiting the order or a verified or certified or otherwise duly authenticated copy thereof and, where the order is not in the English language, a translation thereof into English certified by a notary public or authenticated by witness statement or affidavit, and
- (b) stating—
 - (i) that the order is in force and is not subject to appeal,

- (ii) where the person against whom the order was made did not appear in the proceedings, that he received notice thereof in sufficient time to enable him to defend them,
- (iii) in the case of money, either that at the date of the application the sum payable under the order has not been paid or the amount which remains unpaid, as may be appropriate, or, in the case of other property, the property which has not been recovered, and
- (iv) to the best of the witness's knowledge, particulars of what property the person against whom the order was made holds in England and Wales, giving the source of the witness's knowledge.

(2) Unless the Court otherwise directs, a witness statement or affidavit for the purposes of this rule may contain statements of information or belief with the sources and grounds thereof.

Register of orders

Rule 16.—(1) There [^{F140}will] be kept in the Central Office [^{F141}at the Royal Courts of Justice in London] under the direction of the Master of the [^{F142}Administrative Court] a register of the orders registered under the Act.

(2) There shall be included in such register particulars of any variation or setting aside of a registration and of any execution issued on a registered order.

Textual Amendments

F140 Word in Sch. 1 RSC Order 115 rule 16(1) substituted (6.4.2009) by [The Civil Procedure \(Amendment No.3\) Rules 2008 \(S.I. 2008/3327\)](#), rules 1, **14(a)(i)**

F141 Words in Sch. 1 RSC Order 115 rule 16(1) inserted (6.4.2009) by [The Civil Procedure \(Amendment No.3\) Rules 2008 \(S.I. 2008/3327\)](#), rules 1, **14(a)(ii)**

F142 Words in Sch. 1 RSC Order 115 rule 16(1) substituted (6.4.2009) by [The Civil Procedure \(Amendment No.3\) Rules 2008 \(S.I. 2008/3327\)](#), rules 1, **14(a)(iii)**

Notice of registration

Rule 17.—(1) Notice of the registration of an order must be served on the person against whom it was obtained by [^{F143}delivering it to that person] personally or by sending it [^{F144}to that person's] usual or last known address or place of business or in such other manner as the Court may direct.

[^{F145}(2) Permission is not required to serve such a notice out of the jurisdiction and CPR rules [^{F146}6.40, 6.42 and 6.46] apply in relation to such notice as they apply in relation to a claim form.]

Textual Amendments

F143 Words in Sch. 1 RSC Order 115 rule 17(1) substituted (1.10.2008) by [The Civil Procedure \(Amendment\) Rules 2008 \(S.I. 2008/2178\)](#), rules 1(2), **39(a)(i)(aa)**

F144 Words in Sch. 1 RSC Order 115 rule 17(1) substituted (1.10.2008) by [The Civil Procedure \(Amendment\) Rules 2008 \(S.I. 2008/2178\)](#), rules 1(2), **39(a)(i)(bb)**

F145 Sch. 1 RSC Order 115 rule 17(2) substituted (2.5.2000) by [The Civil Procedure \(Amendment\) Rules 2000 \(S.I. 2000/221\)](#), rules 1(b), **31**

F146 Words in Sch. 1 RSC Order 115 rule 17(2) substituted (1.10.2008) by [The Civil Procedure \(Amendment\) Rules 2008 \(S.I. 2008/2178\)](#), rules 1(2), **39(a)(ii)**

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Application to vary or set aside registration

Rule 18 An application made in accordance with CPR Part 23 by the person against whom an order was made to vary or set aside the registration of an order must be made to a judge and be supported by witness statement or affidavit.

Enforcement of order

Rule 19.—(2) If an application is made under rule 18, an order shall not be enforced until after such application is determined.

Variation, satisfaction and discharge of registered order

Rule 20 Upon the court being notified by the applicant for registration that an order which has been registered has been varied, satisfied or discharged, particulars of the variation, satisfaction or discharge, as the case may be, shall be entered in the register.

Rules to have effect subject to Orders in Council

Rule 21 Rules 12 to 20 shall have effect subject to the provisions of the Order in Council made under section 37 or, as the case may be, of the Order in Council made under section 39.

Criminal Justice (International Co-operation) Act 1990: external forfeiture orders

Rule 21A The provisions of this Part of this Order shall, with such modifications as are necessary and subject to the provisions of any Order in Council made under section 9 of the Criminal Justice (International Co-operation) Act 1990(39), apply to proceedings for the registration and enforcement of external forfeiture orders as they apply to such proceedings in relation to external confiscation orders.

For the purposes of this rule, an external forfeiture order is an order made by a court in a country or territory outside the United Kingdom which is enforceable in the United Kingdom by virtue of any such Order in Council.

II. Part VI of the Criminal Justice Act 1988(40)

Interpretation

Rule 22.—(1) In this Part of this Order, “the 1988 Act” means the Criminal Justice Act 1988 and a section referred to by number means the section so numbered in that Act.

(2) Expressions which are used in this Part of this Order which are used in the 1988 Act have the same meanings in this Part of this Order as in the 1988 Act and include any extended meaning given by the Criminal Justice (Confiscation) (Northern Ireland) Order 1990.

Application of Part I of Order 115

Rule 23 Part I of Order 115 (except rule 11) shall apply for the purposes of proceedings under Part VI of the 1988 Act with the necessary modifications and, in particular,—

- (a) references to drug trafficking offences and to drug trafficking shall be construed as references to offences to which Part VI of the 1988 Act applies and to committing such an offence;

(39) 1990 c. 5.

(40)

- (b) references to the Drug Trafficking Act 1994 shall be construed as references to the 1988 Act and references to sections 5 (2), 26, 27, 29, 30 (2), 17 (1), 18, 18 (5), 39 and 40 of the 1994 Act shall be construed as references to sections 73 (6), 77, 78, 80, 81, 81 (1), 83 (1), 89, 89 (5), 96 and 97 of the 1988 Act respectively;
- (c) rule 3 (2) shall have effect as if the following sub-paragraphs were substituted for sub-paragraphs (a) and (b)—
- “(a) state, as the case may be, either that proceedings have been instituted against the defendant for an offence to which Part VI of the 1988 Act applies (giving particulars of the offence) and that they have not been concluded or that, whether by the laying of an information or otherwise, a person is to be charged with such an offence;
- (b) state, as the case may be, either that a confiscation order has been made or the grounds for believing that such an order may be made;”
- (d) rule 7 (3) shall have effect as if the words “certificate issued by a magistrates' court or the Crown Court” were substituted for the words “certificate issued by the Crown Court”;
- (e) rule 8 shall have effect as if the following paragraph were added at the end—
- “(6) Where a receiver applies in accordance with CPR Part 23 for the variation of a confiscation order, the application notice shall be served, with any supporting evidence, on the defendant and any other person who may be affected by the making of an order under section 83 of the 1988 Act, not less than 7 days before the date fixed for the hearing of the application.”
- (f) rule 11 shall apply with the necessary modifications where an application is made under section 93J of the 1988 Act for disclosure of information held by government departments.

[^{F147}III: TERRORISM ACT 2000]

Textual Amendments

F147 Sch. 1 RSC Order 115 Section 3 heading substituted (31.5.2001) by [The Civil Procedure \(Amendment No. 2\) Rules 2001 \(S.I. 2001/1388\)](#), rules 1(c), **16(a)**

Interpretation

Rule 24 In this Part of this Order—

- (a) “the Act” means [^{F148}Terrorism Act 2000];
- (b) “Schedule 4” means Schedule 4 to the Act; ^{F149}...
- [^{F150}[^{F151}(c)] “the prosecutor” means the person with conduct of proceedings which have been instituted in England and Wales for an offence under any of sections 15 to 18 of the Act, or the person who the High Court is satisfied will have the conduct of [^{F152}any proceedings] for such an offence;]^{F153}...
- [^{F154}(d) “domestic freezing order certificate” means a certificate made by the High Court under paragraph 11B of Schedule 4 in relation to property in a country other than the United Kingdom;
- (e) “overseas freezing order” means an order made in accordance with paragraph 11D of Schedule 4 in relation to property in the United Kingdom;
- (f) “British Islands order” means a Scottish order, a Northern Ireland order or an Islands order as defined in paragraph 12 of Schedule 4; and]

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[^{F155}(g)] [^{F156}other] expressions used have the same meanings as they have in [^{F157}Schedule 4 to] the Act.

Textual Amendments

- F148** Words in Sch. 1 RSC Order 115 rule 24(a) substituted (31.5.2001) by [The Civil Procedure \(Amendment No. 2\) Rules 2001 \(S.I. 2001/1388\)](#), rules 1(c), **16(b)(i)**
- F149** Word in Sch. 1 RSC Order 115 rule 24(b) omitted (31.5.2001) by virtue of [The Civil Procedure \(Amendment No. 2\) Rules 2001 \(S.I. 2001/1388\)](#), rules 1(c), **16(b)(ii)**
- F150** Sch. 1 RSC Order 115 rule 24(ba) inserted (31.5.2001) by [The Civil Procedure \(Amendment No. 2\) Rules 2001 \(S.I. 2001/1388\)](#), rules 1(c), **16(b)(iii)**
- F151** Sch. 1 RSC Order 115 rule 24(ba) renumbered as Sch. 1 RSC Order 115 rule 24(c) (1.10.2010) by [The Civil Procedure \(Amendment No.2\) Rules 2010 \(S.I. 2010/1953\)](#), rules 1(2), **11(2)(a)**
- F152** Words in Sch. 1 RSC Order 115 rule 24(ba) substituted (20.12.2001) by [The Civil Procedure \(Amendment No. 6\) Rules 2001 \(S.I. 2001/4016\)](#), rules 1, **2(a)**
- F153** Word in Sch. 1 RSC Order 115 rule 24(c) omitted (1.10.2010) by virtue of [The Civil Procedure \(Amendment No.2\) Rules 2010 \(S.I. 2010/1953\)](#), rules 1(2), **11(2)(c)(i)**
- F154** Sch. 1 RSC Order 115 rule 24(d)-(f) inserted (1.10.2010) by [The Civil Procedure \(Amendment No.2\) Rules 2010 \(S.I. 2010/1953\)](#), rules 1(2), **11(2)(c)(ii)**
- F155** Sch. 1 RSC Order 115 rule 24(c) renumbered as Sch. 1 RSC Order 115 rule 24(g) (1.10.2010) by [The Civil Procedure \(Amendment No.2\) Rules 2010 \(S.I. 2010/1953\)](#), rules 1(2), **11(2)(b)**
- F156** Word in Sch. 1 RSC Order 115 rule 24(c) inserted (31.5.2001) by [The Civil Procedure \(Amendment No. 2\) Rules 2001 \(S.I. 2001/1388\)](#), rules 1(c), **16(b)(iv)**
- F157** Words in Sch. 1 RSC Order 115 rule 24(c) substituted (31.5.2001) by [The Civil Procedure \(Amendment No. 2\) Rules 2001 \(S.I. 2001/1388\)](#), rules 1(c), **16(b)(v)**

Assignment of proceedings

Rule 25.—(1) Subject to paragraph (2), the jurisdiction of the High Court under the Act shall be exercised by a judge of the Queen’s Bench Division or of the Chancery Division ^{F158} ...

(2) The jurisdiction conferred on the High Court by [^{F159}paragraph 13] of Schedule 4 may also be exercised by a master of the Queen’s Bench Division.

Textual Amendments

- F158** Words in Sch. 1 RSC Order 115 rule 25(1) omitted (26.4.1999) by virtue of [The Civil Procedure \(Amendment\) Rules 1999 \(S.I. 1999/1008\)](#), rules 1, **62(j)**
- F159** Words in Sch. 1 RSC Order 115 rule 25 substituted (1.10.2010) by [The Civil Procedure \(Amendment No.2\) Rules 2010 \(S.I. 2010/1953\)](#), rules 1(2), **11(3)**

Application for restraint order [^{F160}and domestic freezing order certificate]

Rule 26.—(1) An application for a restraint order [^{F161}and, where relevant, a domestic freezing order certificate under paragraphs 5 and 11B] of Schedule 4 may be made by the prosecutor by a claim form, which need not be served on any person.

(2) An application under paragraph (1) shall be supported by a witness statement or affidavit, which shall:—

- [^{F162}(a) state, as the case may be, either—

- (i) that proceedings have been instituted against a person for an offence under any of sections 15 to 18 of the Act and that they have not been concluded; or
- (ii) that a criminal investigation has been started in England and Wales with regard to such an offence,

and in either case give details of the alleged or suspected offence and of the defendant's involvement;]

- (b) [F163 where proceedings have been instituted,] state, as the case may be, that a forfeiture order has been made in the proceedings or the grounds for believing that such an order may be made;

[F164(ba) where proceedings have not been instituted—

- (i) indicate the state of progress of the investigation and when it is anticipated that a decision will be taken on whether to institute proceedings against the defendant;
- (ii) state the grounds for believing that a forfeiture order may be made in any proceedings against the defendant; and
- (iii) verify that the prosecutor is to have the conduct of any such proceedings;]

- (c) to the best of the witness's ability, give full particulars of the property in respect of which [F165 the restraint order and, where relevant, the domestic freezing order certificate] is sought and specify the person or persons holding such property and any other persons having an interest in it[F166.]

F167(d)

F167(e)

[F168(2A) An applicant who seeks a domestic freezing order certificate must—

- (a) prepare a draft of the certificate in accordance with paragraph 11B of Schedule 4; and
- (b) attach it to the application for the restraint order under paragraph (1).]

(3) A claim form under paragraph (1) shall be entitled in the matter of the defendant, naming him, and in the matter of the Act, and all subsequent documents in the matter shall be so entitled.

(4) Unless the [F169 court] otherwise directs, a witness statement or affidavit under paragraph (2) may contain statements of information or belief with the sources and grounds thereof.

Textual Amendments

- F160 Words in Sch. 1 RSC Order 115 rule 26 heading inserted (1.10.2010) by The Civil Procedure (Amendment No.2) Rules 2010 (S.I. 2010/1953), rules 1(2), 11(4)
- F161 Words in Sch. 1 RSC Order 115 rule 26(1) substituted (1.10.2010) by The Civil Procedure (Amendment No.2) Rules 2010 (S.I. 2010/1953), rules 1(2), 11(5)(a)
- F162 Sch. 1 RSC Order 115 rule 26(2)(a) substituted (20.12.2001) by The Civil Procedure (Amendment No. 6) Rules 2001 (S.I. 2001/4016), rules 1, 2(b)(i)
- F163 Words in Sch. 1 RSC Order 115 rule 26(2)(b) inserted (20.12.2001) by The Civil Procedure (Amendment No. 6) Rules 2001 (S.I. 2001/4016), rules 1, 2(b)(ii)
- F164 Sch. 1 RSC Order 115 rule 26(2)(ba) inserted (20.12.2001) by The Civil Procedure (Amendment No. 6) Rules 2001 (S.I. 2001/4016), rules 1, 2(b)(iii)
- F165 Words in Sch. 1 RSC Order 115 rule 26(2)(c) substituted (1.10.2010) by The Civil Procedure (Amendment No.2) Rules 2010 (S.I. 2010/1953), rules 1(2), 11(5)(b)(i)
- F166 Sch. 1 RSC Order 115 rule 26(2)(c): semicolon substituted for full stop (1.10.2010) by The Civil Procedure (Amendment No.2) Rules 2010 (S.I. 2010/1953), rules 1(2), 11(5)(b)(ii)

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- F167** Sch. 1 RSC Order 115 rule 26(2)(d)(e) omitted (20.12.2001) by virtue of [The Civil Procedure \(Amendment No. 6\) Rules 2001 \(S.I. 2001/4016\)](#), rules 1, **2(b)(iv)**
- F168** Sch. 1 RSC Order 115 rule 26(2A) inserted (1.10.2010) by [The Civil Procedure \(Amendment No.2\) Rules 2010 \(S.I. 2010/1953\)](#), rules 1(2), **11(5)(c)**
- F169** Word in Sch. 1 RSC Order 115 rule 26(4) substituted (1.10.2010) by [The Civil Procedure \(Amendment No.2\) Rules 2010 \(S.I. 2010/1953\)](#), rules 1(2), **11(5)(d)**

Restraint order

Rule 27.—(1) A restraint order may be made subject to conditions and exceptions, including but not limited to conditions relating to the indemnifying of third parties against expenses incurred in complying with the order, and exceptions relating to living expenses and legal expenses of the defendant, but the prosecutor shall not be required to give an undertaking to abide by any order as to damages sustained by the defendant as a result of the restraint order.

(2) Unless the [^{F170}court] otherwise directs, a restraint order made without notice of [^{F171}the application for] it being served on any person shall have effect until a day which shall be fixed for the hearing where all parties may attend on the application.

(3) Where a restraint order is made the prosecutor shall serve copies of the order and [^{F172}, unless the court otherwise orders,] of the witness statement or affidavit in support on the defendant and on all other persons affected by the order.

[^{F173}(4) Where a domestic freezing order certificate is made it must be served with the copies of the restraint order as provided for in paragraph (3).]

Textual Amendments

- F170** Word in Sch. 1 RSC Order 115 rule 27(2) substituted (1.10.2010) by [The Civil Procedure \(Amendment No.2\) Rules 2010 \(S.I. 2010/1953\)](#), rules 1(2), **11(6)(a)**
- F171** Words in Sch. 1 RSC Order 115 rule 27(2) inserted (31.5.2001) by [The Civil Procedure \(Amendment No. 2\) Rules 2001 \(S.I. 2001/1388\)](#), rules 1(c), **16(e)**
- F172** Words in Sch. 1 RSC Order 115 rule 27(3) inserted (20.12.2001) by [The Civil Procedure \(Amendment No. 6\) Rules 2001 \(S.I. 2001/4016\)](#), rules 1, **2(c)**
- F173** Sch. 1 RSC Order 115 rule 27(4) inserted (1.10.2010) by [The Civil Procedure \(Amendment No.2\) Rules 2010 \(S.I. 2010/1953\)](#), rules 1(2), **11(6)(b)**

Discharge or variation of [^{F174}a restraint order and a domestic freezing order certificate]

Rule 28.—(1) Subject to paragraph (2), an application to discharge or vary a restraint order shall be made in accordance with CPR Part 23.

(2) Where the case is one of urgency, an application under this rule by the prosecutor may be made without notice.

(3) The application and any witness statement or affidavit in support shall be lodged with the court and, where the application is made in accordance with CPR Part 23 the application notice shall be served on the following persons (other than the applicant)—

- (a) the prosecutor;
- (b) the defendant; and
- (c) all other persons restrained or otherwise affected by the [^{F175}restraint] order;

not less than two clear days before the date fixed for the hearing of the application.

(4) Where a restraint order has been made and has not been discharged, the prosecutor shall notify the court when proceedings for the offence have been concluded, and the court shall thereupon discharge the restraint order.

(5) Where an order is made discharging or varying a restraint order, the applicant shall serve copies of the order of discharge or variation on all persons restrained by the earlier order and shall notify all other persons affected of the terms of the order of discharge or variation.

[^{F176}(6) A reference in this rule to a restraint order also applies, where relevant, to a domestic freezing order certificate.

(7) Where an order is made under paragraph (5) which discharges or varies a domestic freezing order certificate the applicant must notify the court or authority in accordance with paragraph 11C of Schedule 4.]

Textual Amendments

- F174** Words in Sch. 1 RSC Order 115 rule 28 heading substituted (1.10.2010) by [The Civil Procedure \(Amendment No.2\) Rules 2010 \(S.I. 2010/1953\)](#), rules 1(2), **11(7)**
- F175** Word in Sch. 1 RSC Order 115 rule 28(3)(c) inserted (1.10.2010) by [The Civil Procedure \(Amendment No.2\) Rules 2010 \(S.I. 2010/1953\)](#), rules 1(2), **11(8)(a)**
- F176** Sch. 1 RSC Order 115 rule 28(6), (7) inserted (1.10.2010) by [The Civil Procedure \(Amendment No.2\) Rules 2010 \(S.I. 2010/1953\)](#), rules 1(2), **11(8)(b)**

Compensation [^{F177}in relation to a restraint order, domestic freezing order certificate or forfeiture order]

Rule 29 An application for an order under [^{F178}paragraph 9 or 10 of Schedule 4] shall be made in accordance with CPR Part 23, and the application notice, shall be served, with any supporting evidence, on the person alleged to be in default and on [^{F179}the person or body by whom compensation, if ordered, will be payable under paragraph 9(6) or 10(4)] not less than 7 days before the date fixed for the hearing of the application.

Textual Amendments

- F177** Words in Sch. 1 RSC Order 115 rule 29 heading inserted (1.10.2010) by [The Civil Procedure \(Amendment No.2\) Rules 2010 \(S.I. 2010/1953\)](#), rules 1(2), **11(9)**
- F178** Words in Sch. 1 RSC Order 115 rule 29 substituted (31.5.2001) by [The Civil Procedure \(Amendment No. 2\) Rules 2001 \(S.I. 2001/1388\)](#), rules 1(c), **16(f)(i)**
- F179** Words in Sch. 1 RSC Order 115 rule 29 substituted (31.5.2001) by [The Civil Procedure \(Amendment No. 2\) Rules 2001 \(S.I. 2001/1388\)](#), rules 1(c), **16(f)(ii)**

Application for registration [^{F180}of a British Islands order]

Rule 30 An application for registration of a [^{F181}British Islands order under paragraph 13(4) of Schedule 4] must be made in accordance with CPR Part 23 and may be made without notice.

Textual Amendments

- F180** Words in Sch. 1 RSC Order 115 rule 30 heading inserted (1.10.2010) by [The Civil Procedure \(Amendment No.2\) Rules 2010 \(S.I. 2010/1953\)](#), rules 1(2), **11(10)**

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Changes to legislation: There are currently no known outstanding effects for the The Civil Procedure Rules 1998, SCHEDULE 1. (See end of Document for details)

F181 Words in Sch. 1 RSC Order 115 rule 30 substituted (1.10.2010) by [The Civil Procedure \(Amendment No.2\) Rules 2010 \(S.I. 2010/1953\)](#), rules 1(2), **11(11)**

[^{F182}Evidence in support of an application for registration of a British Islands order]

Rule 31.—(1) An application for registration of [^{F183}a British Islands order] must be supported by a witness statement or affidavit—

- (a) exhibiting the order or a certified copy thereof, and
- (b) which shall, to the best of the witness’s ability, give particulars of such property in respect of which the order was made as is in England and Wales, and specify the person or persons holding such property.

(2) Unless the Court otherwise directs, a witness statement or affidavit for the purposes of this rule may contain statements of information or belief with the sources and grounds thereof.

Textual Amendments

F182 Words in Sch. 1 RSC Order 115 rule 31 heading substituted (1.10.2010) by [The Civil Procedure \(Amendment No.2\) Rules 2010 \(S.I. 2010/1953\)](#), rules 1(2), **11(12)**

F183 Words in Sch. 1 RSC Order 115 rule 31(1) substituted (1.10.2010) by [The Civil Procedure \(Amendment No.2\) Rules 2010 \(S.I. 2010/1953\)](#), rules 1(2), **11(13)**

[^{F184}Register of all orders registered under the Act]

Rule 32.—(1) There [^{F185}will] be kept in the Central Office [^{F186}at the Royal Courts of Justice in London] under the direction of the Master of the [^{F187}Administrative Court] a register of the orders registered under the Act.

(2) There shall be included in such register particulars of any variation or setting aside of a registration, and of any execution issued on a registered order.

Textual Amendments

F184 Words in Sch. 1 RSC Order 115 rule 32 heading substituted (1.10.2010) by [The Civil Procedure \(Amendment No.2\) Rules 2010 \(S.I. 2010/1953\)](#), rules 1(2), **11(14)**

F185 Word in Sch. 1 RSC Order 115 rule 32(1) substituted (6.4.2009) by [The Civil Procedure \(Amendment No.3\) Rules 2008 \(S.I. 2008/3327\)](#), rules 1, **14(b)(i)**

F186 Words in Sch. 1 RSC Order 115 rule 32(1) inserted (6.4.2009) by [The Civil Procedure \(Amendment No.3\) Rules 2008 \(S.I. 2008/3327\)](#), rules 1, **14(b)(ii)**

F187 Words in Sch. 1 RSC Order 115 rule 32(1) substituted (31.5.2001) by [The Civil Procedure \(Amendment No. 2\) Rules 2001 \(S.I. 2001/1388\)](#), rules 1(c), **16(g)**

Notice of registration [^{F188}of a British Islands order]

Rule 33.—(1) Notice of the registration of [^{F189}a British Islands order] must be served on the person or persons holding the property referred to in rule 31(1)(b) and any other persons appearing to have an interest in that property.

[^{F190}(2) Permission is not required to serve such a notice out of the jurisdiction and CPR rules [^{F191}6.40, 6.42 and 6.46] apply in relation to such notice as they apply in relation to a claim form.]

Textual Amendments

- F188** Words in Sch. 1 RSC Order 115 rule 33 heading inserted (1.10.2010) by [The Civil Procedure \(Amendment No.2\) Rules 2010 \(S.I. 2010/1953\)](#), rules 1(2), **11(15)**
- F189** Words in Sch. 1 RSC Order 115 rule 33(1) substituted (1.10.2010) by [The Civil Procedure \(Amendment No.2\) Rules 2010 \(S.I. 2010/1953\)](#), rules 1(2), **11(16)**
- F190** Sch. 1 RSC Order 115 rule 33(2) substituted (2.5.2000) by [The Civil Procedure \(Amendment\) Rules 2000 \(S.I. 2000/221\)](#), rules 1(b), **31**
- F191** Words in Sch. 1 RSC Order 115 rule 33(2) substituted (1.10.2008) by [The Civil Procedure \(Amendment\) Rules 2008 \(S.I. 2008/2178\)](#), rules 1(2), **39(b)**

Application to vary or ^{F192}cancel registration of a British Islands order]

Rule 34 An application to vary or ^{F193}cancel] the registration of [^{F194}a British Islands order] must be made to a judge in accordance with CPR Part 23 and be supported by a witness statement or affidavit.

This rule does not apply to a variation or cancellation under rule 36.

Textual Amendments

- F192** Words in Sch. 1 RSC Order 115 rule 34 heading substituted (1.10.2010) by [The Civil Procedure \(Amendment No.2\) Rules 2010 \(S.I. 2010/1953\)](#), rules 1(2), **11(17)**
- F193** Word in Sch. 1 RSC Order 115 rule 34 substituted (1.10.2010) by [The Civil Procedure \(Amendment No.2\) Rules 2010 \(S.I. 2010/1953\)](#), rules 1(2), **11(18)(a)**
- F194** Words in Sch. 1 RSC Order 115 rule 34 substituted (1.10.2010) by [The Civil Procedure \(Amendment No.2\) Rules 2010 \(S.I. 2010/1953\)](#), rules 1(2), **11(18)(b)**

Enforcement of ^{F195}a British Islands order]

Rule 35.—(2) If an application is made under rule 34, an order shall not be enforced until after such application is determined.

(3) This rule does not apply to the taking of steps under ^{F196}paragraph 7 or 8] of Schedule 4, as applied by ^{F197}paragraph 13(6)] of that Schedule.

Textual Amendments

- F195** Words in Sch. 1 RSC Order 115 rule 35 heading substituted (1.10.2010) by [The Civil Procedure \(Amendment No.2\) Rules 2010 \(S.I. 2010/1953\)](#), rules 1(2), **11(19)**
- F196** Words in Sch. 1 RSC Order 115 rule 35(3) substituted (31.5.2001) by [The Civil Procedure \(Amendment No. 2\) Rules 2001 \(S.I. 2001/1388\)](#), rules 1(c), **16(h)(i)**
- F197** Words in Sch. 1 RSC Order 115 rule 35(3) substituted (31.5.2001) by [The Civil Procedure \(Amendment No. 2\) Rules 2001 \(S.I. 2001/1388\)](#), rules 1(c), **16(h)(ii)**

Variation and cancellation of registration [^{F198}of a British Islands order]

Rule 36 If effect has been given (whether in England or Wales or elsewhere) to a [^{F199}British Islands order], or if the order has been varied or discharged by the court by which it was made, the applicant for registration shall inform the court and—

Status: Point in time view as at 06/04/2016.

Changes to legislation: There are currently no known outstanding effects for the The Civil Procedure Rules 1998, SCHEDULE 1. (See end of Document for details)

- (a) if such effect has been given in respect of all the money or other property to which the order applies, or if the order has been discharged by the court by which it was made, registration of the order shall be cancelled;
- (b) if such effect has been given in respect of only part of the money or other property, or if the order has been varied by the court by which it was made, registration of the order shall be varied accordingly.

Textual Amendments

F198 Words in Sch. 1 RSC Order 115 rule 36 title inserted (1.10.2010) by [The Civil Procedure \(Amendment No.2\) Rules 2010 \(S.I. 2010/1953\)](#), rules 1(2), **11(20)**

F199 Words in Sch. 1 RSC Order 115 rule 36 substituted (1.10.2010) by [The Civil Procedure \(Amendment No.2\) Rules 2010 \(S.I. 2010/1953\)](#), rules 1(2), **11(21)**

[^{F200}Giving effect to an overseas freezing order – consideration by the court

36A.—(1) Save in exceptional circumstances the court will consider an overseas freezing order the next business day after receipt of a copy of that order from the Secretary of State.

(2) In any event the court will consider the order within 5 business days of receipt of it.

(3) The court will not make an order giving effect to an overseas freezing order unless it is satisfied that the Director of Public Prosecutions has had the opportunity to make representations to the court in writing or at a hearing.

(4) ‘Business day’ has the same meaning as in CPR rule 6.2.

Textual Amendments

F200 Sch. 1 RSC Order 115 rules 36A-36D inserted (1.10.2010) by [The Civil Procedure \(Amendment No.2\) Rules 2010 \(S.I. 2010/1953\)](#), rules 1(2), **11(22)**

Giving effect to an overseas freezing order – registration

36B. Where the court makes an order to give effect to an overseas freezing order the court will register that order in accordance with rule 32.

Textual Amendments

F200 Sch. 1 RSC Order 115 rules 36A-36D inserted (1.10.2010) by [The Civil Procedure \(Amendment No.2\) Rules 2010 \(S.I. 2010/1953\)](#), rules 1(2), **11(22)**

Notice of registration of an overseas freezing order

36C. Where the court gives effect to an overseas freezing order it will order the Director of Public Prosecutions to serve notice of registration of the order on any persons affected by it.

Textual Amendments

F200 Sch. 1 RSC Order 115 rules 36A-36D inserted (1.10.2010) by [The Civil Procedure \(Amendment No.2\) Rules 2010 \(S.I. 2010/1953\)](#), rules 1(2), **11(22)**

Application to cancel the registration of, or vary, an overseas freezing order

36D. An application under paragraph 11G(4) of Schedule 4 by the Director of Public Prosecutions or any person affected by an overseas freezing order must be made to the court in accordance with CPR Part 23.]

Textual Amendments

F200 Sch. 1 RSC Order 115 rules 36A-36D inserted (1.10.2010) by [The Civil Procedure \(Amendment No.2\) Rules 2010 \(S.I. 2010/1953\)](#), rules 1(2), **11(22)**

^{F201}Part IV International Criminal Court Act 2001: fines, forfeitures and reparation orders

Textual Amendments

F201 Sch. 1 RSC Order 115 Pt. 4 inserted (6.10.2003) by [The Civil Procedure \(Amendment No. 4\) Rules 2003 \(S.I. 2003/2113\)](#), rules 1(c), **17**

Interpretation

37. In this Part of this Order—

- (a) “the Act” means the International Criminal Court Act 2001;
- (b) “the ICC” means the International Criminal Court;
- (c) “an order of the ICC” means—
 - (i) a fine or forfeiture ordered by the ICC; or
 - (ii) an order by the ICC against a person convicted by the ICC specifying a reparation to, or in respect of, a victim.

Registration of ICC orders for enforcement

38.—(1) An application to the High Court to register an order of the ICC for enforcement, or to vary or set aside the registration of an order, may be made to a judge or a Master of the Queen’s Bench Division.

(2) Rule 13 and rules 15 to 20 in Part I of this Order shall, with such modifications as are necessary and subject to the provisions of any regulations made under section 49 of the Act, apply to the registration for enforcement of an order of the ICC as they apply to the registration of an external confiscation order.]

^{F202}RSC ORDER 116

THE CRIMINAL PROCEDURE AND INVESTIGATIONS ACT 1996

Textual Amendments

F202 Sch. 1 RSC Order 116 omitted (1.10.2010) by virtue of [The Civil Procedure \(Amendment No.2\) Rules 2010 \(S.I. 2010/1953\)](#), rules 1(2), **12**

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The Civil Procedure Rules 1998, SCHEDULE 1. (See end of Document for details)

Application

F202**1.**

Interpretation

F202**2.**

Assignment of proceedings

F202**3.**

Time limit for making application

F202**4.**

Application

F202**5.**

Notice to the acquitted person

F202**6.**

Witness statement or affidavit of service on an acquitted person

F202**7.**

Response of acquitted person

F202**8.**

Evidence

F202**9.**

Determination of the application

F202**10.**

Status:

Point in time view as at 06/04/2016.

Changes to legislation:

There are currently no known outstanding effects for the The Civil Procedure Rules 1998, SCHEDULE 1.