

SCHEDULE 1

Commencement Information

II Sch. 1 in force at 26.4.1999, see [Signature](#)

RSC ORDER 11

SERVICE OF PROCESS, ETC., OUT OF THE JURISDICTION

Application for, and grant of, permission to serve claim form out of jurisdiction

Rule 4.—(1) An application for the grant of permission under rule 1 (1) must be supported by written evidence stating—

- (a) the grounds on which the application is made;
- (b) that in the belief of the witness the claimant has a good cause of action;
- (c) in what place or country the defendant is, or probably may be found; and
- (d) where the application is made under rule 1 (1)(c), the grounds for the belief of the witness that there is between the claimant and the person on whom a claim form has been served a real issue which the claimant may reasonably ask the Court to try.

(2) No such permission shall be granted unless it shall be made sufficiently to appear to the Court that the case is a proper one for service out of the jurisdiction under this Order.

(3) Where the application is for the grant of permission under rule 1 to serve a claim form in Scotland or Northern Ireland, if it appears to the Court that there may be a concurrent remedy there, the Court, in deciding whether to grant permission shall have regard to the comparative cost and convenience of proceeding there or in England, and (where that is relevant) to the powers and jurisdiction of the sheriff court in Scotland or the county courts or courts of summary jurisdiction in Northern Ireland.

(4) An order granting under rule 1 permission to serve a claim form, out of the jurisdiction must specify the periods within which the defendant may—

- (a) file an acknowledgment of service in accordance with CPR Part 10;
- (b) file or serve an admission in accordance with CPR Part 14; and
- (c) file a defence in accordance with CPR Part 15.

Status:

Point in time view as at 26/04/1999. This version of this provision has been superseded.

Changes to legislation:

There are currently no known outstanding effects for the The Civil Procedure Rules 1998, Paragraph Rule 4.