

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**

<sup>F1</sup>**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**

<sup>F2</sup>**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)**

<sup>F2</sup>**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](#))

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

**F2 Rule1B** .....

.....  
**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)

F2 .....

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**Textual Amendments**  
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F2 .....

**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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F2 .....

**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)

**F<sup>3</sup>RSC 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**

**F<sup>3</sup>Rule 6A** .....

**Change of parties by reason of death, etc.**

**F<sup>3</sup>Rule 7** .....

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**Failure to proceed after death of party**

<sup>F3</sup>Rule 9 .....

**Relator actions**

<sup>F3</sup>Rule 11 .....

**Representative proceedings**

<sup>F3</sup>Rule 12 .....

**Derivative claims**

<sup>F3</sup>Rule 12A .....

**Representation of interested persons who cannot be ascertained, etc.**

<sup>F3</sup>Rule 13 .....

**Notice of claim to non—parties**

<sup>F3</sup>Rule 13A .....

**Representation of beneficiaries by trustees, etc.**

<sup>F3</sup>Rule 14 .....

**Representation of deceased person interested in proceedings**

<sup>F3</sup>Rule 15 .....

**Declaratory judgment**

<sup>F3</sup>Rule 16 .....

**Conduct of proceedings**

<sup>F3</sup>Rule 17 .....

<sup>F4</sup>RSC ORDER 17  
INTERPLEADER

**Textual Amendments**  
<sup>F4</sup> 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**

**<sup>F4</sup>Rule 1** .....

**Claim to goods, etc., taken in execution**

**<sup>F4</sup>Rule 2** .....

**Claim in respect of goods protected from seizure**

**<sup>F4</sup>Rule 2A** .....

**Mode of application**

**<sup>F4</sup>Rule 3** .....

**To whom Sheriff may apply for relief**

**<sup>F4</sup>Rule 4** .....

**Powers of Court hearing claim**

**<sup>F4</sup>Rule 5** .....

**Power to order sale of goods taken in execution**

**<sup>F4</sup>Rule 6** .....

**Power to stay proceedings**

**<sup>F4</sup>Rule 7** .....

**Other powers**

**<sup>F4</sup>Rule 8** .....

**One order in several proceedings**

**<sup>F4</sup>Rule 9** .....

**Disclosure**

**<sup>F4</sup>Rule 10** .....

**Trial of interpleader issue**

**<sup>F4</sup>Rule 11** .....

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## RSC ORDER 23 SECURITY FOR COSTS

### Order to apply to High Court and County Court

<sup>F5</sup>Rule A1 .....

.....  
**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.

<sup>F5</sup>Rule 1 .....

.....  
**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

<sup>F5</sup>Rule 2 .....

.....  
**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

<sup>F5</sup>Rule 3 .....

.....  
**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)

## <sup>F6</sup>RSC ORDER 30

### RECEIVERS

#### Textual Amendments

<sup>F6</sup> 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

<sup>F6</sup>Rule A1 .....

#### Application for receiver and injunction

<sup>F6</sup>Rule 1 .....

#### Giving of security by receiver

<sup>F6</sup>Rule 2 .....

#### Remuneration of receiver

<sup>F6</sup>Rule 3 .....

#### Service of order and notice

<sup>F6</sup>Rule 4 .....

#### Receiver's accounts

<sup>F6</sup>Rule 5 .....

#### Payment into Court by receiver

<sup>F6</sup>Rule 6 .....

#### Default by receiver

<sup>F6</sup>Rule 7 .....

#### Directions to receivers

<sup>F6</sup>Rule 8 .....

**Status:** Point in time view as at 01/10/2018.  
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## <sup>F7</sup>RSC ORDER 31

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

**Textual Amendments**

<sup>F7</sup> 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**

<sup>F7</sup>Rule A1 .....

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

##### **Power to order sale of land**

<sup>F7</sup>Rule 1 .....

##### **Manner of carrying out sale**

<sup>F7</sup>Rule 2 .....

##### **Certifying result of sale**

<sup>F7</sup>Rule 3 .....

##### **Mortgage, exchange or partition under order of the Court**

<sup>F7</sup>Rule 4 .....

#### **II. Conveyancing Counsel of the Court**

##### **Reference of matters to conveyancing counsel of Court**

<sup>F7</sup>Rule 5 .....

##### **Objection to conveyancing counsel’s opinion**

<sup>F7</sup>Rule 6 .....

##### **Obtaining counsel’s opinion on reference**

<sup>F7</sup>Rule 8 .....



## <sup>F8</sup>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

**F8**Rule 1 .....

#### Service of notice of judgment on person not a party

**F8**Rule 2 .....

#### Directions by the Court

**F8**Rule 3 .....

#### Application of rules 5 to 8

**F8**Rule 4 .....

#### Advertisements for creditors and other claimants

**F8**Rule 5 .....

#### Examination of claims

**F8**Rule 6 .....

#### Adjudication on claims

**F8**Rule 7 .....

#### Notice of adjudication

**F8**Rule 8 .....

#### Interest on debts

**F8**Rule 9 .....

#### Interest on legacies

**F8**Rule 10 .....

#### Master's order

**F8**Rule 11 .....

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**Appeal against Master’s order**

**<sup>F8</sup>Rule 12** .....

**<sup>F9</sup>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**

**<sup>F9</sup>Rule 1A.** .....

**Enforcement of judgment, etc., for payment of money**

**<sup>F9</sup>Rule 1** .....

**Notice of seizure**

**<sup>F9</sup>Rule 2** .....

**Enforcement of judgment for possession of land**

**<sup>F9</sup>Rule 3** .....

**Enforcement of judgment for delivery of goods**

**<sup>F9</sup>Rule 4** .....

**Enforcement of judgment to do or abstain from doing any act**

**<sup>F9</sup>Rule 5** .....

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

**<sup>F9</sup>Rule 6** .....

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

**<sup>F9</sup>Rule 7** .....

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

**<sup>F9</sup>Rule 8** .....

**Execution by or against person not being a party**

<sup>F9</sup>**Rule 9** .....

**Conditional judgment: waiver**

<sup>F9</sup>**Rule 10** .....

**Matters occurring after judgment: stay of execution, etc.**

<sup>F9</sup>**Rule 11** .....

**Forms of writs**

<sup>F9</sup>**Rule 12** .....

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

<sup>F9</sup>**Rule 13** .....

**Enforcement of decisions of Value Added Tax Tribunals**

<sup>F9</sup>**Rule 14** .....

<sup>F10</sup>**RSC ORDER 46**

**WRITS OF EXECUTION: GENERAL**

**Textual Amendments**

<sup>F10</sup> **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**

<sup>F10</sup>**Rule 1** .....

**When permission to issue any writ of execution is necessary**

<sup>F10</sup>**Rule 2** .....

**Permission required for issue of writ in aid of other writ**

<sup>F10</sup>**Rule 3** .....

**Application for permission to issue writ**

<sup>F10</sup>**Rule 4** .....

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**Application for permission to issue writ of sequestration**

<sup>F10</sup>**Rule 5** .....

**Issue of writ of execution**

<sup>F10</sup>**Rule 6** .....

**Duration and renewal of writ of execution**

<sup>F10</sup>**Rule 8** .....

**Return to writ of execution**

<sup>F10</sup>**Rule 9** .....

<sup>F11</sup>**RSC ORDER 47  
WRITS OF FIERI FACIAS**

**Textual Amendments**  
<sup>F11</sup> 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**

<sup>F11</sup>**Rule 1** .....

**Two or more writs of fieri facias**

<sup>F11</sup>**Rule 2** .....

**Separate writs to enforce payment of costs, etc.**

<sup>F11</sup>**Rule 3** .....

**No expenses of execution in certain cases**

<sup>F11</sup>**Rule 4** .....

**Writ of fieri facias de bonis ecclesiasticis, etc.**

<sup>F11</sup>**Rule 5** .....

**Order for sale otherwise than by auction**

<sup>F11</sup>**Rule 6** .....

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## RSC ORDER 48

### EXAMINATION OF JUDGMENT DEBTOR, ETC.

#### Order for examination of judgment debtor

<sup>F12</sup>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

<sup>F12</sup>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

<sup>F12</sup>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

<sup>F13</sup>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

<sup>F13</sup>Rule 2 .....

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**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**

<sup>F13</sup>**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**

<sup>F13</sup>**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**

<sup>F13</sup>**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**

<sup>F13</sup>**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**

<sup>F13</sup>**Rule 8** .....

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**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)**)

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**Order made on further considerations**

<sup>F14</sup>**Rule 3** .....

.....  
**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**

<sup>F14</sup>**Rule 4** .....

.....  
**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**

<sup>F14</sup>**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**

<sup>F14</sup>**Rule 6** .....

.....  
**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**

<sup>F14</sup>**Rule 7** .....

.....  
**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**

<sup>F14</sup>**Rule 9** .....



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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)**)

**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 01/10/2018.  
**Changes to legislation:** There are currently no known outstanding effects for the The Civil Procedure Rules 1998. (See end of Document for details)

.....  
**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** .....

.....  
**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** .....

.....  
**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**

.....  
**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

<sup>F16</sup>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

<sup>F16</sup>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

<sup>F16</sup>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

<sup>F16</sup>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

<sup>F16</sup>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 01/10/2018.  
**Changes to legislation:** There are currently no known outstanding effects for the The Civil Procedure Rules 1998. (See end of Document for details)

**Provisions as to hearing**

<sup>F16</sup>**Rule 6** .....

.....  
**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**

<sup>F16</sup>**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**

<sup>F16</sup>**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** <sup>F16</sup> .....

(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**

<sup>F16</sup>**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)

## <sup>F17</sup>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** <sup>F17</sup> .....

### Joinder of claims for relief

**Rule 2** <sup>F17</sup> .....

### Grant of leave to apply for judicial review

**Rule 3** <sup>F17</sup> .....

### Delay in applying for relief

**Rule 4** <sup>F17</sup> .....

### Mode of applying for judicial review

**Rule 5** <sup>F17</sup> .....

### Statements and evidence

**Rule 6** <sup>F17</sup> .....

### Claim for damages

**Rule 7** <sup>F17</sup> .....

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

**Rule 8** <sup>F17</sup> .....

### Hearing of application for judicial review

**Rule 9** <sup>F17</sup> .....

### Saving for person acting in obedience to mandamus

**Rule 10** <sup>F17</sup> .....

### Proceedings for disqualification of member of local authority

**Rule 11** <sup>F17</sup> .....

*Status: Point in time view as at 01/10/2018.  
Changes to legislation: There are currently no known outstanding effects  
for the The Civil Procedure Rules 1998. (See end of Document for details)*

**Consolidation of applications**

**Rule 12** <sup>F17</sup> .....

**Appeal from Judge’s order**

**Rule 13** <sup>F17</sup> .....

**Meaning of “Court”**

**Rule 14** <sup>F17</sup> .....

**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](#)

**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** .....

**Status:** Point in time view as at 01/10/2018.

**Changes to legislation:** There are currently no known outstanding effects for the The Civil Procedure Rules 1998. (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)

**Service of notice of appeal and entry of appeal**

**F19** **Rule 4** .....

**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** .....

**Status:** Point in time view as at 01/10/2018.  
**Changes to legislation:** There are currently no known outstanding effects for the The Civil Procedure Rules 1998. (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)

**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)



**Status:** Point in time view as at 01/10/2018.

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

## Appeal from Magistrates' Court by case stated

<sup>F20</sup>**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)

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

<sup>F20</sup>**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.

<sup>F20</sup>**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

<sup>F20</sup>**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

<sup>F20</sup>**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

<sup>F20</sup>**Rule 10** .....

**Status:** Point in time view as at 01/10/2018.  
**Changes to legislation:** There are currently no known outstanding effects for the The Civil Procedure Rules 1998. (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)

**Amendment of case**

**F20** **Rule 11** .....

.....  
**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** <sup>F21</sup> .....

**Entry of claims**

**Rule 2** <sup>F21</sup> .....

**Issue, etc., of claim form**

**Rule 3** <sup>F21</sup> .....

**Filing of witness statement or affidavits and drawing up of orders**

**Rule 4** <sup>F21</sup> .....

**Issue of writs**

**Rule 5** <sup>F21</sup> .....

**Custody of records**

**Rule 6** <sup>F21</sup> .....

## RSC ORDER 58

### APPEALS FROM MASTERS, REGISTRARS, REFEREES AND JUDGES

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

<sup>F22</sup>**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**

<sup>F22</sup>**Rule 2** .....

*Status: Point in time view as at 01/10/2018.*  
*Changes to legislation: There are currently no known outstanding effects for the The Civil Procedure Rules 1998. (See end of Document for details)*

**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**

<sup>F22</sup>**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**

<sup>F22</sup>**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**

<sup>F23</sup>**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**

<sup>F23</sup>**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

### <sup>F23</sup>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

### <sup>F23</sup>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)

## General Provisions as to Appeals

## Who may exercise the powers of the Court of Appeal

### <sup>F23</sup>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

### <sup>F23</sup>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

### <sup>F23</sup>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)

**Status:** Point in time view as at 01/10/2018.  
**Changes to legislation:** There are currently no known outstanding effects for the The Civil Procedure Rules 1998. (See end of Document for details)

**Time for appealing**

<sup>F23</sup>**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**

<sup>F23</sup>**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**

<sup>F23</sup>**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**

<sup>F23</sup>**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**

<sup>F23</sup>**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**

<sup>F23</sup>**Rule 9** .....

**Status:** Point in time view as at 01/10/2018.

**Changes to legislation:** There are currently no known outstanding effects for the The Civil Procedure Rules 1998. (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)

**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** .....

**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** .....

**Status:** Point in time view as at 01/10/2018.  
**Changes to legislation:** There are currently no known outstanding effects for the The Civil Procedure Rules 1998. (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)

**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** .....

**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** .....



**Status:** Point in time view as at 01/10/2018.

**Changes to legislation:** There are currently no known outstanding effects for the The Civil Procedure Rules 1998. (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)

**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** .....

**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** .....

*Status: Point in time view as at 01/10/2018.  
Changes to legislation: There are currently no known outstanding effects  
for the The Civil Procedure Rules 1998. (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 Immigration Appeals Tribunal**

<sup>F23</sup>**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**

<sup>F23</sup>**Rule 25** .....

**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**

<sup>F24</sup>**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**

<sup>F24</sup>**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)

**Status:** Point in time view as at 01/10/2018.

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

## Entry, etc. of appeal

<sup>F24</sup>**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

<sup>F24</sup>**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)

# RSC ORDER 61

## APPEALS FROM TRIBUNALS TO COURT OF APPEAL BY CASE STATED

## Statement of case by Lands Tribunal

<sup>F25</sup>**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

<sup>F25</sup>**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

<sup>F25</sup>**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)

**Status:** Point in time view as at 01/10/2018.  
**Changes to legislation:** There are currently no known outstanding effects for the The Civil Procedure Rules 1998. (See end of Document for details)

## 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)

## F<sup>28</sup>RSC ORDER 51

### RECEIVERS: EQUITABLE EXECUTION

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#### 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

F<sup>28</sup>**Rule A1** .....

#### Appointment of receiver by way of equitable execution

F<sup>28</sup>**Rule 1** .....

#### Masters etc. may appoint receiver

F<sup>28</sup>**Rule 2** .....

#### Application of rules as to appointment of receiver, etc.

F<sup>28</sup>**Rule 3** .....

## F<sup>29</sup>RSC ORDER 70

### Application of rules as to appointment of receiver, etc.

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#### 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

F<sup>29</sup>**Rule 1** .....

#### Application for order

F<sup>29</sup>**Rule 2** .....

#### Application by Treasury Solicitor in certain cases

F<sup>29</sup>**Rule 3.** .....

#### Person to take and manner of taking examination

F<sup>29</sup>**Rule 4** .....

**Status:** Point in time view as at 01/10/2018.  
**Changes to legislation:** There are currently no known outstanding effects for the The Civil Procedure Rules 1998. (See end of Document for details)

**Dealing with deposition**

<sup>F29</sup>**Rule 5** .....

**Claim to privilege**

<sup>F29</sup>**Rule 6** .....

<sup>F30</sup>**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**

<sup>F30</sup>**Rule 1** .....

**Application for registration**

<sup>F30</sup>**Rule 2** .....

**Evidence in support of application**

<sup>F30</sup>**Rule 3** .....

**Security for costs**

<sup>F30</sup>**Rule 4** .....

**Order for registration**

<sup>F30</sup>**Rule 5** .....

**Register of judgments**

<sup>F30</sup>**Rule 6** .....

**Notice of registration**

<sup>F30</sup>**Rule 7** .....

**Application to set aside registration**

<sup>F30</sup>**Rule 9** .....

**Issue of execution**

<sup>F30</sup>**Rule 10** .....

**Determination of certain questions**

<sup>F30</sup>**Rule 11** .....

**Rules to have effect subject to Orders in Council**

<sup>F30</sup>**Rule 12** .....

**Certified copy of High Court judgment**

<sup>F30</sup>**Rule 13** .....

***II. Enforcement of European Community Judgments***

**Interpretation**

<sup>F30</sup>**Rule 15** .....

**Functions under Order in Council exercisable by judge or master**

<sup>F30</sup>**Rule 16** .....

**Application for registration of Community judgment, etc.**

<sup>F30</sup>**Rule 17** .....

**Evidence in support of application**

<sup>F30</sup>**Rule 18** .....

**Register of judgments and orders**

<sup>F30</sup>**Rule 19** .....

**Notice of registration**

<sup>F30</sup>**Rule 20** .....

**Issue of execution**

<sup>F30</sup>**Rule 21** .....

**Application to vary or cancel registration**

<sup>F30</sup>**Rule 22** .....

*Status: Point in time view as at 01/10/2018.  
Changes to legislation: There are currently no known outstanding effects  
for the The Civil Procedure Rules 1998. (See end of Document for details)*

**Application for registration of suspension order**

<sup>F30</sup>**Rule 23** .....

**Application for enforcement of Euratom inspection order**

<sup>F30</sup>**Rule 24** .....

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

**Interpretation**

<sup>F30</sup>**Rule 25** .....

**Assignment of business and exercise of powers**

<sup>F30</sup>**Rule 26** .....

**Application for registration**

<sup>F30</sup>**Rule 27** .....

**Evidence in support of application**

<sup>F30</sup>**Rule 28** .....

**Security for costs**

<sup>F30</sup>**Rule 29** .....

**Order for registration**

<sup>F30</sup>**Rule 30** .....

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

<sup>F30</sup>**Rule 31** .....

**Notice of registration**

<sup>F30</sup>**Rule 32** .....

**Appeals**

<sup>F30</sup>**Rule 33** .....

**Issue of execution**

<sup>F30</sup>**Rule 34** .....

**Application for recognition**

<sup>F30</sup>**Rule 35** .....



**Enforcement of High Court judgments in other Contracting States**

<sup>F30</sup>**Rule 36** .....

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

<sup>F30</sup>**Rule 37** .....

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

<sup>F30</sup>**Rule 38** .....

**Register of United Kingdom judgments**

<sup>F30</sup>**Rule 39** .....

**Authentic Instruments and Court Settlements**

<sup>F30</sup>**Rule 39A** .....

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

**Exercise of powers**

<sup>F30</sup>**Rule 40** .....

**Application for registration**

<sup>F30</sup>**Rule 41** .....

**Evidence in support of application**

<sup>F30</sup>**Rule 42** .....

**Order for registration**

<sup>F30</sup>**Rule 43** .....

**Register of recommendations etc.**

<sup>F30</sup>**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**

<sup>F30</sup>**Rule 45.** .....

*Status: Point in time view as at 01/10/2018.  
Changes to legislation: There are currently no known outstanding effects  
for the The Civil Procedure Rules 1998. (See end of Document for details)*

**Assignment of business and exercise of powers**

<sup>F30</sup>**Rule 46.** . . . . .

**Application for registration**

<sup>F30</sup>**Rule 47.** . . . . .

**Evidence in support of application**

<sup>F30</sup>**Rule 48.** . . . . .

**Order for registration**

<sup>F30</sup>**Rule 49.** . . . . .

**Register of judgments registered under the Judgments Regulation**

<sup>F30</sup>**Rule 50.** . . . . .

**Notice of registration**

<sup>F30</sup>**Rule 51.** . . . . .

**Appeals**

<sup>F30</sup>**Rule 52.** . . . . .

**Enforcement**

<sup>F30</sup>**Rule 53.** . . . . .

**Application for recognition**

<sup>F30</sup>**Rule 54.** . . . . .

**Enforcement of High Court Judgments in other Regulation States**

<sup>F30</sup>**Rule 55.** . . . . .

**Register of certificates**

<sup>F30</sup>**Rule 56.** . . . . .

**Authentic instruments and court settlements**

<sup>F30</sup>**Rule 57.** . . . . .

## RSC ORDER 74

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

#### Assignment of proceedings

<sup>F31</sup>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

<sup>F31</sup>Rule 2 .....

##### 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

<sup>F32</sup>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

<sup>F32</sup>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

<sup>F32</sup>Rule 3 .....

*Status: Point in time view as at 01/10/2018.  
Changes to legislation: There are currently no known outstanding effects  
for the The Civil Procedure Rules 1998. (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)**

**Service on the Crown**

<sup>F32</sup>**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**

<sup>F32</sup>**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**

<sup>F32</sup>**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**

<sup>F32</sup>**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 [<sup>F33</sup>Commissioners for HM Revenue and Customs]**

<sup>F32</sup>**Rule 8A** .....

**Status:** Point in time view as at 01/10/2018.

**Changes to legislation:** There are currently no known outstanding effects for the The Civil Procedure Rules 1998. (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)**
- 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**

<sup>F32</sup>**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)**

**Third party notices**

<sup>F32</sup>**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**

<sup>F32</sup>**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**

<sup>F32</sup>**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**

<sup>F32</sup>**Rule 13** .....

**Status:** Point in time view as at 01/10/2018.  
**Changes to legislation:** There are currently no known outstanding effects for the The Civil Procedure Rules 1998. (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)**

**Evidence**

<sup>F32</sup>**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**

<sup>F32</sup>**Rule 15** .....

**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.**

<sup>F32</sup>**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**

<sup>F32</sup>**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**

<sup>F32</sup>**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 <sup>F34</sup>...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.

(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 <sup>F35</sup>... 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 <sup>F35</sup>... 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 [<sup>F36</sup>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;

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

- (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 [F37court] stating his desire to apply for bail and requesting that the official solicitor shall act for him in the application, and the [F38court may] assign the official solicitor to act for the applicant accordingly.
- (5) Where the official solicitor has been so assigned the [F39court may] dispense with the requirements of paragraphs (1) to (3) and deal with the application in a summary manner.
- (6) Where the [F40court] grants the defendant bail, the order must be in Form No. 98 in [F41Practice 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[F43designated 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.
- (6B) Where under section 3 (5) or (6) of the Bail Act 1976(2)[F44the court] imposes a requirement to be complied with before a person's release on bail, [F45it] 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 [F46the court] under this rule proposes to enter into a recognizance or give security must, unless [F47the court] otherwise directs, give notice (in Form No. 100 in [F48Practice 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[F50designated 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 <sup>F51</sup>... varying the arrangements under which the defendant has been granted bail shall be in Form 98A in [F52Practice Direction 4] and a copy of the order shall be transmitted forthwith—

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

(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.



**Status:** Point in time view as at 01/10/2018.

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

- (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 [<sup>F53</sup>[<sup>F54</sup>designated officer] for] the court which committed the defendant.

(11) Where in pursuance of an order of [<sup>F55</sup>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 [<sup>F56</sup>the Supreme Court] or an application for [<sup>F57</sup>a quashing order], then, upon the abandonment of the appeal or application, or upon the decision of the High Court or [<sup>F56</sup>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 [<sup>F56</sup>the Supreme Court].

(12) If an applicant to the High Court in any criminal proceedings is refused bail <sup>F58</sup>..., 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 [<sup>F59</sup>Practice Direction 4], whichever is appropriate, except that in the case of a decision to withhold bail the record shall be 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**

- (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.
- (4) [1989 c. 33](#).

*Status: Point in time view as at 01/10/2018.*

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

- 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)**
- 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.**

<sup>F60</sup>**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**

<sup>F60</sup>**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 .....

**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 .....

*Status: Point in time view as at 01/10/2018.  
Changes to legislation: There are currently no known outstanding effects  
for the The Civil Procedure Rules 1998. (See end of Document for details)*

**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** <sup>F62</sup> .....

**Indorsement of claim in libel claim**

**Rule 2** <sup>F62</sup> .....

**Obligation to give particulars**

**Rule 3** <sup>F62</sup> .....

**Ruling on meaning**

**Rule 3A** <sup>F62</sup> .....

**Provisions as to payment into Court**

**Rule 4** <sup>F62</sup> .....

**Statement in open Court**

**Rule 5** <sup>F62</sup> .....

**Further information not allowed in certain cases**

**Rule 6** <sup>F62</sup> .....

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

**Rule 8** <sup>F62</sup> .....

**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**

<sup>F63</sup>**Rule 1** .....

**Determination of questions, etc., without administration**

<sup>F63</sup>**Rule 2** .....

**Parties**

<sup>F63</sup>**Rule 3** .....

**Judgments and orders in administration claims**

<sup>F63</sup>**Rule 5** .....

**Conduct of sale of trust property**

<sup>F63</sup>**Rule 6** .....

<sup>F64</sup>**RSC ORDER 87**

**DEBENTURE HOLDERS' CLAIMS : RECEIVER'S REGISTER**

**Textual Amendments**

<sup>F64</sup> **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**

<sup>F64</sup>**Rule 1** .....

**Registration of transfers, etc.**

<sup>F64</sup>**Rule 2** .....

**Application for rectification of receiver's register**

<sup>F64</sup>**Rule 3** .....

**Receiver's register evidence of transfers, etc.**

<sup>F64</sup>**Rule 4** .....

**Proof of title of holder of bearer debenture, etc.**

<sup>F64</sup>**Rule 5** .....

*Status: Point in time view as at 01/10/2018.  
Changes to legislation: There are currently no known outstanding effects  
for the The Civil Procedure Rules 1998. (See end of Document for details)*

**Requirements in connection with payments**

<sup>F64</sup>**Rule 6** .....

**RSC ORDER 88  
MORTGAGE CLAIMS**

**Application and Interpretation**

<sup>F65</sup>**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**

<sup>F65</sup>**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**

<sup>F65</sup>**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**

<sup>F65</sup>**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**

<sup>F65</sup>**Rule 5** .....

**Status:** Point in time view as at 01/10/2018.

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

**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**

<sup>F66</sup>**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**

<sup>F67</sup>**Rule 7** .....

**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.**

<sup>F68</sup>**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**

<sup>F68</sup>**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\(a\)](#)

*Status: Point in time view as at 01/10/2018.  
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for the The Civil Procedure Rules 1998. (See end of Document for details)*

**Setting down case stated under Taxes Management Act 1970**

<sup>F68</sup>**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**

<sup>F68</sup>**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**

<sup>F68</sup>**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**

<sup>F68</sup>**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**

<sup>F68</sup>**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)**



**Status:** Point in time view as at 01/10/2018.

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

**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 .....

**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 .....

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

**Status:** Point in time view as at 01/10/2018.  
**Changes to legislation:** There are currently no known outstanding effects for the The Civil Procedure Rules 1998. (See end of Document for details)

**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)**

<sup>F72</sup>**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)**

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

<sup>F73</sup>**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)**

<sup>F74</sup>**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**

<sup>F75</sup>**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**

<sup>F76</sup>**Rule 10** .....

(7) [1925 c. 19.](#)  
(8) [1936 c. 2.](#)  
(9) [1958 c. 53.](#)

**Status:** Point in time view as at 01/10/2018.

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

**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)**

<sup>F77</sup>**Rule11** .....

**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](#))

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

<sup>F78</sup>**Rule12** .....

**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)**

<sup>F79</sup>**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)**

<sup>F80</sup>**Rule16** .....

**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\(a\)](#)

- (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.
- (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](#).

**Status:** Point in time view as at 01/10/2018.  
**Changes to legislation:** There are currently no known outstanding effects for the The Civil Procedure Rules 1998. (See end of Document for details)

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

<sup>F80</sup>**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)**

<sup>F80</sup>**Rule 18** .....

.....  
**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)**

<sup>F80</sup>**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)**

<sup>F81</sup>**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**

<sup>F82</sup>**Rule 21** .....

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

**Status:** Point in time view as at 01/10/2018.

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

**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 [<sup>F83</sup> the Financial Services and Markets Act 2000]**

<sup>F84</sup>**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)**

**Proceedings under the Banking Act 1987(18)**

<sup>F85</sup>**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.**

<sup>F86</sup>**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**

<sup>F86</sup>**Rule 2** .....

*Status: Point in time view as at 01/10/2018.  
Changes to legislation: There are currently no known outstanding effects  
for the The Civil Procedure Rules 1998. (See end of Document for details)*

**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.**

<sup>F86</sup>**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**

<sup>F87</sup>**Rule 4** .....

**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**

<sup>F88</sup>**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**

<sup>F89</sup>**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**

<sup>F90</sup>**Rule 7** .....

**Status:** Point in time view as at 01/10/2018.

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

**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**

<sup>F91</sup>**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**

<sup>F92</sup>**Rule 9** .....

**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**

<sup>F93</sup>**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**

<sup>F94</sup>**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**

<sup>F95</sup>**Rule 11** .....

(19) [1992 c. 53](#).  
(20) [1971 c. 62](#).  
(21) [1974 c. 39](#).

**Status:** Point in time view as at 01/10/2018.  
**Changes to legislation:** There are currently no known outstanding effects for the The Civil Procedure Rules 1998. (See end of Document for details)

**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)**

<sup>F96</sup>**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)**

**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**

<sup>F97</sup>**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)**

<sup>F98</sup>**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)**

<sup>F99</sup>**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)**

(22) [1990 c. 8.](#)  
(23) [1990 c. 9.](#)  
(24) [1988 c. 13.](#)  
(25) [1981 c. 54.](#)



## Proceedings under the Protection from Harassment Act 1997

### <sup>F100</sup>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

### <sup>F101</sup>Rule 1 .....

#### 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

### <sup>F102</sup>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

### <sup>F103</sup>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

### <sup>F104</sup>Rule 4 .....

*Status: Point in time view as at 01/10/2018.  
Changes to legislation: There are currently no known outstanding effects  
for the The Civil Procedure Rules 1998. (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)**

**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** .....

**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**

**F106****F105** **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)**

(29) 1967 c. 48.  
(30)

**Status:** Point in time view as at 01/10/2018.

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

## Issue of claim form

<sup>F106F105</sup>**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

<sup>F106F105</sup>**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)**

## Objections to application

<sup>F106F105</sup>**Rule 5** .....

### 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

<sup>F106F105</sup>**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

<sup>F106F105</sup>**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

<sup>F106F105</sup>**Rule 8** .....

**Status:** Point in time view as at 01/10/2018.  
**Changes to legislation:** There are currently no known outstanding effects for the The Civil Procedure Rules 1998. (See end of Document for details)

**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

<sup>F107</sup>**Rule 1** .....

**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.

<sup>F107</sup>**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

<sup>F107</sup>**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

<sup>F107</sup>**Rule 4** .....

(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](#)

**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** .....

**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** .....

**Status:** Point in time view as at 01/10/2018.  
**Changes to legislation:** There are currently no known outstanding effects for the The Civil Procedure Rules 1998. (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](#)

**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** .....

**Status:** Point in time view as at 01/10/2018.

**Changes to legislation:** There are currently no known outstanding effects for the The Civil Procedure Rules 1998. (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](#)

**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** .....

**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** .....

**Status:** Point in time view as at 01/10/2018.  
**Changes to legislation:** There are currently no known outstanding effects for the The Civil Procedure Rules 1998. (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**

**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

### <sup>F108</sup>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

### <sup>F108</sup>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)**

## <sup>F109</sup>RSC ORDER 99

### INHERITANCE (PROVISION FOR FAMILY AND DEPENDANTS) ACT 1975

#### 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

### <sup>F109</sup>Rule A1 .....

## Interpretation

### <sup>F109</sup>Rule 1 .....

## Assignment to Chancery or Family Division if proceedings in High Court

### <sup>F109</sup>Rule 2 .....

## Application for financial provision

### <sup>F109</sup>Rule 3 .....

## Powers of Court as to parties

### <sup>F109</sup>Rule 4 .....

*Status: Point in time view as at 01/10/2018.  
Changes to legislation: There are currently no known outstanding effects  
for the The Civil Procedure Rules 1998. (See end of Document for details)*

**Witness statement or affidavit in answer**

<sup>F109</sup>**Rule 5** .....

**Separate representation**

<sup>F109</sup>**Rule 6** .....

**Endorsement of memorandum on grant**

<sup>F109</sup>**Rule 7** .....

**Disposal of proceedings in private**

<sup>F109</sup>**Rule 8** .....

**Subsequent applications in proceedings under section 1**

<sup>F109</sup>**Rule 9** .....

**Drawing up and service of orders**

<sup>F109</sup>**Rule 10** .....

**RSC ORDER 101**

**THE PENSIONS APPEAL TRIBUNALS ACT 1943**

**Assignment to Queen’s Bench Division**

<sup>F110</sup>**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**

<sup>F110</sup>**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**

<sup>F110</sup>**Rule 3** .....

**Status:** Point in time view as at 01/10/2018.

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

**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)

**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** .....

*Status: Point in time view as at 01/10/2018.  
Changes to legislation: There are currently no known outstanding effects  
for the The Civil Procedure Rules 1998. (See end of Document for details)*

**Interim order restricting payment out of banking account**

<sup>F111</sup>Rule 8 .....

**Adding parties, etc.**

<sup>F111</sup>Rule 9 .....

**Service of documents**

<sup>F111</sup>Rule 10 .....

**Constitution of Divisional Court to hear appeals**

<sup>F111</sup>Rule 11 .....

**Title, service, etc., of notice of appeal**

<sup>F111</sup>Rule 12 .....

**Law Society to produce certain documents**

<sup>F111</sup>Rule 13 .....

**Restriction on requiring security for costs**

<sup>F111</sup>Rule 14 .....

**Disciplinary committee’s opinion may be required**

<sup>F111</sup>Rule 15 .....

**Persons entitled to be heard on appeal**

<sup>F111</sup>Rule 16 .....

**Discontinuance of appeal**

<sup>F111</sup>Rule 17 .....

<sup>F112</sup>RSC ORDER 108

PROCEEDINGS RELATING TO CHARITIES: THE CHARITIES ACT 1993

**Textual Amendments**

<sup>F112</sup> 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**

<sup>F112</sup>**Rule 1** .....

**Assignment to Chancery Division**

<sup>F112</sup>**Rule 2** .....

**Application for permission to appeal or to take charity proceedings**

<sup>F112</sup>**Rule 3** .....

**Application for enforcement of order or direction of Commissioners**

<sup>F112</sup>**Rule 4** .....

**Appeal against order, etc., of Commissioners**

<sup>F112</sup>**Rule 5** .....

**Service on Commissioners**

<sup>F112</sup>**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 [<sup>F113</sup>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 [<sup>F114</sup>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 <sup>F115</sup>...

(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 <sup>F116</sup>....

(3) Any such application to a judge <sup>F117</sup>... 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.

**Status:** Point in time view as at 01/10/2018.  
**Changes to legislation:** There are currently no known outstanding effects for the The Civil Procedure Rules 1998. (See end of Document for details)

(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.

<sup>F118</sup>(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 [<sup>F119</sup>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 [<sup>F119</sup>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)**

#### [<sup>F120</sup>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 [<sup>F121</sup>Supreme Court] from the Court of Appeal, the appellant is in 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 [<sup>F121</sup>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 [<sup>F122</sup>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 [<sup>F123</sup>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 [<sup>F124</sup>[<sup>F125</sup>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.]

**Status:** Point in time view as at 01/10/2018.  
**Changes to legislation:** There are currently no known outstanding effects for the The Civil Procedure Rules 1998. (See end of Document for details)

**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**

**F126** RSC ORDER 110

ENVIRONMENTAL CONTROL PROCEEDINGS

**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 .....

**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** .....



**Status:** Point in time view as at 01/10/2018.

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

**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)

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)

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

**[<sup>F129</sup>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 .....

*Status: Point in time view as at 01/10/2018.  
Changes to legislation: There are currently no known outstanding effects  
for the The Civil Procedure Rules 1998. (See end of Document for details)*

**Application for direction**

<sup>F128</sup>**Rule 2** .....

**Applications involving children under 16 and patients**

<sup>F128</sup>**Rule 3** .....

**Addition as a party of person to be tested**

<sup>F128</sup>**Rule 4** .....

**Service of direction and adjournment of proceedings**

<sup>F128</sup>**Rule 5** .....

**Service of copy report**

<sup>F128</sup>**Rule 6** .....

<sup>F130</sup>**RSC ORDER 113**

**SUMMARY PROCEEDINGS FOR POSSESSION OF LAND**

**Textual Amendments**  
<sup>F130</sup> 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**

<sup>F130</sup>**Rule 1** .....

**Jurisdiction of Masters**

<sup>F130</sup>**Rule 1A** .....

**Forms of claim form**

<sup>F130</sup>**Rule 2** .....

**Witness statement or affidavit in support**

<sup>F130</sup>**Rule 3** .....

**Service of claim form**

<sup>F130</sup>**Rule 4** .....

**Application by occupier to be made a party**

<sup>F130</sup>**Rule 5** .....

**Order for possession**

<sup>F130</sup>**Rule 6** .....

**Writ of possession**

**Rule 7** <sup>F130</sup> .....

**Setting aside order**

<sup>F130</sup>**Rule 8** .....

<sup>F131</sup>**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**

<sup>F131</sup>**Rule 1** .....

**Making of order**

<sup>F131</sup>**Rule 2** .....

**Schedule to order to set out request for ruling**

<sup>F131</sup>**Rule 3** .....

**Stay of proceedings pending ruling**

<sup>F131</sup>**Rule 4** .....

**Transmission of order to the European Court**

<sup>F131</sup>**Rule 5** .....

**Appeals from orders made by High Court**

<sup>F131</sup>**Rule 6** .....

*Status: Point in time view as at 01/10/2018.*  
*Changes to legislation: There are currently no known outstanding effects for the The Civil Procedure Rules 1998. (See end of Document for details)*

## 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.

(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 <sup>F132</sup>....

#### 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.

*Status: Point in time view as at 01/10/2018.*

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

(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);
- (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 [<sup>F133</sup>specified in CPR rule [<sup>F134</sup>73.7(7)(e) to (g)]] as shall be appropriate.

*Status: Point in time view as at 01/10/2018.*

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

#### 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 [<sup>F135</sup>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 [<sup>F136</sup>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 [<sup>F137</sup>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,
- (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 [<sup>F138</sup>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.

*Status: Point in time view as at 01/10/2018.*

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

### **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.
- (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 [<sup>F139</sup>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

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- (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 [<sup>F140</sup>will] be kept in the Central Office [<sup>F141</sup>at the Royal Courts of Justice in London] under the direction of the Master of the [<sup>F142</sup>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 [<sup>F143</sup>delivering it to that person] personally or by sending it [<sup>F144</sup>to that person's] usual or last known address or place of business or in such other manner as the Court may direct.

[<sup>F145</sup>(2) Permission is not required to serve such a notice out of the jurisdiction and CPR rules [<sup>F146</sup>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)**

#### 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.

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## **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;
- (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.

**[<sup>F147</sup>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 [<sup>F148</sup>Terrorism Act 2000];
- (b) “Schedule 4” means Schedule 4 to the Act; <sup>F149</sup>...
- [<sup>F150</sup>[<sup>F151</sup>(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 [<sup>F152</sup>any proceedings] for such an offence;] <sup>F153</sup>...
- [<sup>F154</sup>(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]
- [<sup>F155</sup>(g)] [<sup>F156</sup>other] expressions used have the same meanings as they have in [<sup>F157</sup>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)**

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**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 <sup>F158</sup> ...

(2) The jurisdiction conferred on the High Court by <sup>F159</sup>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 <sup>F160</sup>and domestic freezing order certificate]**

**Rule 26.**—(1) An application for a restraint order <sup>F161</sup>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:—

- <sup>F162</sup>(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) <sup>F163</sup>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;

- <sup>F164</sup>(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 <sup>F165</sup>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<sup>F166</sup>.]

<sup>F167</sup>(d) .....

<sup>F167</sup>(e) .....

<sup>F168</sup>(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)**
- 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)**



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

**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 [<sup>F174</sup>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 [<sup>F175</sup>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.

[<sup>F176</sup>(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 [<sup>F177</sup>in relation to a restraint order, domestic freezing order certificate or forfeiture order]**

**Rule 29** An application for an order under [<sup>F178</sup>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 [<sup>F179</sup>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.



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

#### 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 [<sup>F180</sup>of a British Islands order]

**Rule 30** An application for registration of a [<sup>F181</sup>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)**
- 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)**

#### [<sup>F182</sup>Evidence in support of an application for registration of a British Islands order]

**Rule 31.**—(1) An application for registration of [<sup>F183</sup>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)**

#### [<sup>F184</sup>Register of all orders registered under the Act]

**Rule 32.**—(1) There [<sup>F185</sup>will] be kept in the Central Office [<sup>F186</sup>at the Royal Courts of Justice in London] under the direction of the Master of the [<sup>F187</sup>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.

*Status: Point in time view as at 01/10/2018.*

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

#### 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 [<sup>F188</sup>of a British Islands order]

**Rule 33.**—(1) Notice of the registration of [<sup>F189</sup>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.

[<sup>F190</sup>(2) Permission is not required to serve such a notice out of the jurisdiction and CPR rules [<sup>F191</sup>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 [<sup>F192</sup>cancel registration of a British Islands order]

**Rule 34** An application to vary or [<sup>F193</sup>cancel] the registration of [<sup>F194</sup>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 [<sup>F195</sup>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 [<sup>F196</sup>paragraph 7 or 8] of Schedule 4, as applied by [<sup>F197</sup>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 [<sup>F198</sup>of a British Islands order]**

**Rule 36** If effect has been given (whether in England or Wales or elsewhere) to a [<sup>F199</sup>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—

- (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)**

### **[<sup>F200</sup>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.

**Status:** Point in time view as at 01/10/2018.  
**Changes to legislation:** There are currently no known outstanding effects for the The Civil Procedure Rules 1998. (See end of Document for details)

**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)**

***<sup>F201</sup> 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;

**Status:** Point in time view as at 01/10/2018.

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

- (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**

**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.** . . . . .

**Status:** Point in time view as at 01/10/2018.  
**Changes to legislation:** There are currently no known outstanding effects for the The Civil Procedure Rules 1998. (See end of Document for details)

**Witness statement or affidavit of service on an acquitted person**

<sup>F202</sup>7. ....

**Response of acquitted person**

<sup>F202</sup>8. ....

**Evidence**

<sup>F202</sup>9. ....

**Determination of the application**

<sup>F202</sup>10. ....

SCHEDULE 2

Rule 50(4)

**Modifications etc. (not altering text)**

- C4 Sch. 2 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\(1\)](#))
- C5 Sch. 2 CCR Order 27 applied (with modifications) (22.4.2014) by [S.I. 2010/2955](#), [rules 33.19, 33.19A](#) (as substituted by [The Family Procedure \(Amendment No. 2\) Rules 2014 \(S.I. 2014/667\)](#), [rules 1, 37](#) (with [rule 45](#)))

**Commencement Information**

- I2 Sch. 2 in force at 26.4.1999, see [Signature](#)

CCR ORDER 1

CITATION, APPLICATION AND INTERPRETATION

**Application of RSC to [<sup>F203</sup>County Court] proceedings**

**Rule 6** Where by virtue of these rules or section 76 of the Act or otherwise any provision of the RSC is applied in relation to proceedings in [<sup>F204</sup>the County Court], that provision shall have effect with the necessary modifications and in particular—

- (b) any reference in that provision to a master, [<sup>F205</sup>District Judge] of the principal registry of the Family Division, the Admiralty [<sup>F206</sup>Registrar], or a [<sup>F205</sup>District Judge] or [<sup>F207</sup>Taxing Officer] shall be construed as a reference to the [<sup>F205</sup>District Judge] of the [<sup>F203</sup>County Court]; and
- (d) any reference in that provision to an office of the [<sup>F208</sup>Senior Courts] having the conduct of the business of a division or court or a district registry shall be construed as a reference to the [<sup>F209</sup>office of a County Court hearing centre].

**Status:** Point in time view as at 01/10/2018.

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

**Textual Amendments**

- F203** Words in Sch. 2 CCR Order 1 rule 6 substituted (22.4.2014) by [The Civil Procedure \(Amendment No. 4\) Rules 2014 \(S.I. 2014/867\)](#), rules 1, **3(a)(ii)** (with rule 25)
- F204** Words in Sch. 2 CCR Order 1 rule 6 substituted (22.4.2014) by [The Civil Procedure \(Amendment No. 4\) Rules 2014 \(S.I. 2014/867\)](#), rules 1, **3(a)(i)** (with rule 25)
- F205** Words in Sch. 2 CCR Order 1 rule 6 substituted (22.4.2014) by [The Civil Procedure \(Amendment No. 4\) Rules 2014 \(S.I. 2014/867\)](#), rules 1, **3(a)(iv)** (with rule 25)
- F206** Word in Sch. 2 CCR Order 1 rule 6(b) substituted (22.4.2014) by [The Civil Procedure \(Amendment No. 4\) Rules 2014 \(S.I. 2014/867\)](#), rules 1, **19(a)(ii)** (with rule 25)
- F207** Words in Sch. 2 CCR Order 1 rule 6(b) substituted (22.4.2014) by [The Civil Procedure \(Amendment No. 4\) Rules 2014 \(S.I. 2014/867\)](#), rules 1, **19(a)(i)** (with rule 25)
- F208** Words in Sch. 2 CCR Order 1 rule 6(d) substituted (1.10.2009) by [The Civil Procedure \(Amendment\) Rules 2009 \(S.I. 2009/2092\)](#), rules 1(2), **22**
- F209** Words in Sch. 2 CCR Order 1 rule 6(d) substituted (22.4.2014) by [The Civil Procedure \(Amendment No. 4\) Rules 2014 \(S.I. 2014/867\)](#), rules 1, **19(b)** (with rule 25)

### CCR ORDER 3

#### COMMENCEMENT OF PROCEEDINGS

##### Appeals to county court

<sup>F210</sup>**Rule 6** .....

**Textual Amendments**

- F210** Sch. 2 CCR Order 3 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)

### CCR ORDER 4

#### VENUE FOR BRINGING PROCEEDINGS

##### Proceedings relating to land

<sup>F211</sup>**Rule 3** .....

**Textual Amendments**

- F211** Sch. 2 CCR Order 4 rule 3 revoked (6.10.2003) by [The Civil Procedure \(Amendment No. 4\) Rules 2003 \(S.I. 2003/2113\)](#), rules 1(c), **19(b)**

*Status: Point in time view as at 01/10/2018.  
Changes to legislation: There are currently no known outstanding effects  
for the The Civil Procedure Rules 1998. (See end of Document for details)*

## F212 CCR ORDER 5 CAUSES OF ACTION AND PARTIES

.....  
**Textual Amendments**

**F212** Sch. 2 CCR Order 5 revoked (2.10.2006) by [The Civil Procedure \(Amendment\) Rules 2006 \(S.I. 2006/1689\)](#), rules 1, **12(d)**

### Representative proceedings

F212F213 **Rule 5** .....

.....  
**Textual Amendments**

**F213** Sch. 2 CCR Order 5 rules 5-8 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)

### Representation of person or class

F212F213 **Rule 6** .....

.....  
**Textual Amendments**

**F213** Sch. 2 CCR Order 5 rules 5-8 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)

### Representation of estate where no personal representative

F212F213 **Rule 7** .....

.....  
**Textual Amendments**

**F213** Sch. 2 CCR Order 5 rules 5-8 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 against estates

F212F213 **Rule 8** .....

.....  
**Textual Amendments**

**F213** Sch. 2 CCR Order 5 rules 5-8 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)

### Partners may sue and be sued in firm name

F212 **Rule 9** .....



**Defendant carrying on business in another name**

<sup>F212</sup>**Rule 10** .....

**Failure to proceed after death of party**

<sup>F212F214</sup>**Rule 12** .....

**Textual Amendments**

**F214** Sch. 2 CCR Order 5 rules 12-14 revoked (2.12.2002) by [The Civil Procedure \(Amendment\) Rules 2002 \(S.I. 2002/2058\)](#), rule 1(b), **Sch. 10**

**Claim to money in court where change in parties after judgment**

<sup>F212F214</sup>**Rule 13** .....

**Textual Amendments**

**F214** Sch. 2 CCR Order 5 rules 12-14 revoked (2.12.2002) by [The Civil Procedure \(Amendment\) Rules 2002 \(S.I. 2002/2058\)](#), rule 1(b), **Sch. 10**

**Bankruptcy of claimant**

<sup>F212F214</sup>**Rule 14** .....

**Textual Amendments**

**F214** Sch. 2 CCR Order 5 rules 12-14 revoked (2.12.2002) by [The Civil Procedure \(Amendment\) Rules 2002 \(S.I. 2002/2058\)](#), rule 1(b), **Sch. 10**

**CCR ORDER 6**

**PARTICULARS OF CLAIM**

**Recovery of land**

<sup>F215</sup>**Rule 3** .....

**Textual Amendments**

**F215** Sch. 2 CCR Order 6 rule 3 revoked (15.10.2001) by [The Civil Procedure \(Amendment\) Rules 2001 \(S.I. 2001/256\)](#), rule 1(d), **Sch. 3**

**Mortgage claim**

<sup>F216</sup>**Rule 5** .....

*Status: Point in time view as at 01/10/2018.  
Changes to legislation: There are currently no known outstanding effects  
for the The Civil Procedure Rules 1998. (See end of Document for details)*

**Textual Amendments**

**F216** Sch. 2 CCR Order 6 rule 5 revoked (15.10.2001) by [The Civil Procedure \(Amendment\) Rules 2001 \(S.I. 2001/256\)](#), rule 1(d), **Sch. 3**

**Mortgage claim—dwelling-house**

<sup>F217</sup>**Rule 5A** .....

**Textual Amendments**

**F217** Sch. 2 CCR Order 6 rule 5A revoked (15.10.2001) by [The Civil Procedure \(Amendment\) Rules 2001 \(S.I. 2001/256\)](#), rule 1(d), **Sch. 3**

**Hire-purchase**

<sup>F218</sup>**Rule 6** .....

**Textual Amendments**

**F218** Sch. 2 CCR Order 6 rule 6 revoked (2.6.2003) by [The Civil Procedure \(Amendment No. 2\) Rules 2003 \(S.I. 2003/1242\)](#), rules 1, 7

**CCR ORDER 7**

**SERVICE OF DOCUMENTS**

**Recovery of land**

<sup>F219</sup>**Rule 15** .....

**Textual Amendments**

**F219** Sch. 2 CCR Order 7 revoked (15.10.2001) by [The Civil Procedure \(Amendment\) Rules 2001 \(S.I. 2001/256\)](#), rule 1(d), **Sch. 3**

**Mortgage possession claims**

<sup>F219</sup>**Rule 15A** .....

**Textual Amendments**

**F219** Sch. 2 CCR Order 7 revoked (15.10.2001) by [The Civil Procedure \(Amendment\) Rules 2001 \(S.I. 2001/256\)](#), rule 1(d), **Sch. 3**

**Status:** Point in time view as at 01/10/2018.

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

## CCR ORDER 13

### APPLICATIONS AND ORDERS IN THE COURSE OF PROCEEDINGS

#### General provisions

<sup>F220</sup>**Rule 1** .....

#### Textual Amendments

**F220** Sch. 2 CCR Order 13 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)

## <sup>F221</sup>CCR ORDER 16

### TRANSFER OF PROCEEDINGS

#### Textual Amendments

**F221** Sch. 2 CCR Order 16 omitted (22.4.2014) by virtue of [The Civil Procedure \(Amendment No. 4\) Rules 2014](#) (S.I. 2014/867), rules 1, **20** (with rule 25)

## <sup>F222</sup>CCR ORDER 19

### REFERENCE TO EUROPEAN COURT

#### Textual Amendments

**F222** Sch. 2 CCR Order 19 revoked (2.12.2002) by [The Civil Procedure \(Amendment\) Rules 2002](#) (S.I. 2002/2058), rule 1(b), **Sch. 10**

#### Making and transmission of order

<sup>F222</sup>**Rule 15** .....

## <sup>F223</sup>CCR ORDER 22

### JUDGMENTS AND ORDERS

#### Textual Amendments

**F223** Sch. 2 CCR Order 22 omitted (6.4.2014) by virtue of [The Civil Procedure \(Amendment\) Rules 2014](#) (S.I. 2014/407), rules 2(3), **38(a)** (with rule 41)

**Status:** Point in time view as at 01/10/2018.  
**Changes to legislation:** There are currently no known outstanding effects for the The Civil Procedure Rules 1998. (See end of Document for details)

**Certificate of judgment**

<sup>F223</sup>**Rule 8** .....

**Variation of payment**

<sup>F223</sup>**Rule 10** .....

**Set-off of cross-judgments**

<sup>F223</sup>**Rule 11** .....

**Order of appellate court**

<sup>F223</sup>**Rule 13** .....

<sup>F224</sup>**CCR ORDER 24**

**SUMMARY PROCEEDINGS FOR THE RECOVERY OF LAND**

**Textual Amendments**

<sup>F224</sup> **Sch. 2** CCR Order 24 omitted (6.4.2014) by virtue of [The Civil Procedure \(Amendment\) Rules 2014](#) (S.I. 2014/407), rules 2(3), **38(b)** (with rule 41)

**Part I—Land**

**Proceedings to be by claim form**

<sup>F224</sup>**Rule 1** .....

**Witness statement or affidavit in support**

<sup>F224</sup>**Rule 2** .....

**Service of claim form**

<sup>F224</sup>**Rule 3** .....

**Application by occupier to be made a party**

<sup>F224</sup>**Rule 4** .....

**Hearing of claim**

<sup>F224</sup>**Rule 5** .....

**Warrant of possession**

<sup>F224</sup>**Rule 6** .....

**Setting aside order**

<sup>F224</sup>**Rule 7** .....

**Part II—Interim Possession Orders**

**Definitions and interpretation**

<sup>F224</sup>**Rule 8** .....

**Conditions for interim possession order application**

<sup>F224</sup>**Rule 9** .....

**Issue of the applications**

<sup>F224</sup>**Rule 10** .....

**Service of the notice of application**

<sup>F224</sup>**Rule 11** .....

**Consideration of the application**

<sup>F224</sup>**Rule 12** .....

**Service and enforcement of the interim possession order**

<sup>F224</sup>**Rule 13** .....

**Matters arising after making of an interim possession order**

<sup>F224</sup>**Rule 14** .....

**Application to set aside an interim possession order**

<sup>F224</sup>**Rule 15** .....

<sup>F225</sup>**CCR ORDER 25**

**ENFORCEMENT OF JUDGMENTS AND ORDERS: GENERAL**

**Textual Amendments**

<sup>F225</sup> Sch. 2 CCR Order 25 omitted (6.4.2014) by virtue of [The Civil Procedure \(Amendment\) Rules 2014 \(S.I. 2014/407\)](#), rules 2(3), **38(c)** (with rule 41)

**Judgment creditor and debtor**

<sup>F225</sup>**Rule 1** .....

*Status: Point in time view as at 01/10/2018.  
Changes to legislation: There are currently no known outstanding effects  
for the The Civil Procedure Rules 1998. (See end of Document for details)*

**Transfer of proceedings for enforcement**

<sup>F225</sup>**Rule 2** .....

**Oral examination of debtor**

<sup>F225</sup>**Rule 3** .....

**Examination of debtor under judgment not for money**

<sup>F225</sup>**Rule 4** .....

**Provision of information**

<sup>F225</sup>**Rule 5** .....

**Interest on judgment debts**

<sup>F225</sup>**Rule 5A** .....

**Description of parties**

<sup>F225</sup>**Rule 6** .....

**Recording and giving information as to warrants and orders**

<sup>F225</sup>**Rule 7** .....

**Suspension of judgment or execution**

<sup>F225</sup>**Rule 8** .....

**Enforcement of judgment or order against firm**

<sup>F225</sup>**Rule 9** .....

**Enforcing judgment between a firm and its members**

<sup>F225</sup>**Rule 10** .....

**Enforcement of High Court judgment**

<sup>F225</sup>**Rule 11** .....

**Enforcement of award of tribunal**

<sup>F225</sup>**Rule 12** .....

**Transfer to High Court for enforcement**

<sup>F225</sup>**Rule 13** .....

## F226 CCR ORDER 26

### WARRANTS OF EXECUTION, DELIVERY AND POSSESSION

#### Textual Amendments

F226 Sch. 2 CCR Order 26 omitted (6.4.2014) by virtue of [The Civil Procedure \(Amendment\) Rules 2014 \(S.I. 2014/407\)](#), rules 2(3), **38(d)** (with rule 41)

#### Application for warrant of execution

F226 **Rule 1** .....

#### Execution of High Court judgment

F226 **Rule 2** .....

#### Execution against farmer

F226 **Rule 3** .....

#### Concurrent warrants

F226 **Rule 4** .....

#### Permission to issue certain warrants

F226 **Rule 5** .....

#### Duration and renewal of warrant

F226 **Rule 6** .....

#### Notice on levy

F226 **Rule 7** .....

#### Bankruptcy or winding up of debtor

F226 **Rule 8** .....

#### Withdrawal and suspension of warrant at creditor's request

F226 **Rule 10** .....

#### Suspension of part warrant

F226 **Rule 11** .....

#### Inventory and notice where goods removed

F226 **Rule 12** .....

**Status:** Point in time view as at 01/10/2018.  
**Changes to legislation:** There are currently no known outstanding effects for the The Civil Procedure Rules 1998. (See end of Document for details)

**Account of sale**

<sup>F226</sup>**Rule 13** .....

**Notification to foreign court of payment made**

<sup>F226</sup>**Rule 14** .....

**Order for private sale**

<sup>F226</sup>**Rule 15** .....

**Warrant of delivery**

<sup>F226</sup>**Rule 16** .....

**Warrant of possession**

<sup>F226</sup>**Rule 17** .....

**Saving for enforcement by committal**

<sup>F226</sup>**Rule 18** .....

<sup>F227</sup>**CCR ORDER 27**

**ATTACHMENT OF EARNINGS**

.....

**Textual Amendments**

**F227** Sch. 2 CCR Order 27 omitted (6.4.2016) by virtue of [The Civil Procedure \(Amendment\) Rules 2016 \(S.I. 2016/234\)](#), rules 2, **22** (with rule 25)

**CCR ORDER 28**

**JUDGMENT SUMMONSES**

[<sup>F228</sup>**Definitions**

**Rule A1.** In this Order—

- (a) “judgment creditor” means the person who has obtained or is entitled to enforce a judgment or order; and
- (b) “debtor” means the person against whom a judgment or order was given or made.]

**Textual Amendments**

**F228** Sch. 2 CCR Order 28 rule A1 inserted (6.4.2014) by [The Civil Procedure \(Amendment\) Rules 2014 \(S.I. 2014/407\)](#), rules 2(3), **40(a)** (with rule 41)



## Application for judgment summons

**Rule 1.**—(1) An application for the issue of a judgment summons may be made to the [<sup>F229</sup>County Court hearing centre which serves the address where] the debtor resides or carries on business or, if the summons is to issue against two or more persons jointly liable under the judgment or order sought to be enforced, in the [<sup>F229</sup>County Court hearing centre which serves the address where] any of the debtors resides or carries on business.

(2) The judgment creditor shall make [<sup>F230</sup>the] application by filing a request in that behalf certifying the amount of money remaining due under the judgment or order, the amount in respect of which the judgment summons is to issue and that the whole or part of any instalment due remains unpaid.

[<sup>F231</sup>(3) The judgment creditor must file with the request all written evidence on which [<sup>F232</sup>the judgment creditor] intends to rely.]

### Textual Amendments

**F229** Words in Sch. 2 CCR Order 28 rule 1(1) substituted (22.4.2014) by [The Civil Procedure \(Amendment No. 4\) Rules 2014 \(S.I. 2014/867\)](#), rules 1, **21(b)(i)** (with rule 25)

**F230** Word in Sch. 2 CCR Order 28 rule 1(2) substituted (22.4.2014) by [The Civil Procedure \(Amendment No. 4\) Rules 2014 \(S.I. 2014/867\)](#), rules 1, **21(b)(ii)** (with rule 25)

**F231** Sch. 2 CCR Order 28 rule 1(3) inserted (25.3.2002) by [The Civil Procedure \(Amendment No. 5\) Rules 2001 \(S.I. 2001/4015\)](#), rules 1(c), **39(a)**

**F232** Words in Sch. 2 CCR Order 28 rule 1(3) substituted (22.4.2014) by [The Civil Procedure \(Amendment No. 4\) Rules 2014 \(S.I. 2014/867\)](#), rules 1, **21(b)(iii)** (with rule 25)

### Modifications etc. (not altering text)

**C6** Sch. 2 CCR Order 28 rule 1 excluded (6.4.2011) by [The Family Procedure Rules 2010 \(S.I. 2010/2955\)](#), **rule 33.18(1)** (with rules 2.1, 33.1(1))

## [<sup>F233</sup>Description of parties

**Rule 1A.**—(1) This rule applies where the name or address of the judgment creditor or debtor as given in the request for the issue of a judgment summons differs from that person’s name or address in the judgment or order sought to be enforced.

(2) If the judgment creditor files a witness statement that satisfies the court officer that the name or address as given in the request is applicable to the person concerned, the judgment creditor or the debtor will be described in the judgment summons as “CD of [name and address as given in the request] suing [or sued] as AD of [name and address in the judgment or order]”.]

### Textual Amendments

**F233** Sch. 2 CCR Order 28 rule 1A inserted (6.4.2014) by [The Civil Procedure \(Amendment\) Rules 2014 \(S.I. 2014/407\)](#), rules 2(3), **40(b)** (with rule 41)

## Mode of service

**Rule 2.**—(1) Subject to paragraph (2), a judgment summons shall be served personally on every debtor against whom it is issued.

(2) Where the judgment creditor or [<sup>F234</sup>the judgment creditor’s] solicitor gives a certificate for postal service in respect of a debtor residing or carrying on business [<sup>F235</sup>at an address which is served

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by the County Court hearing centre], <sup>F236</sup>the judgment summons will], unless the <sup>F237</sup>District Judge] otherwise directs, be served on that debtor by <sup>F238</sup>... the court <sup>F239</sup>sending it to the debtor] by first-class post at the address stated in the request for the judgment summons and, unless the contrary is shown, <sup>F240</sup>the date of service is] deemed to be the seventh day after the date on which the judgment summons was sent to the debtor.

(3) Where a judgment summons has been served on a debtor in accordance with paragraph (2), no order of commitment shall be made against <sup>F241</sup>the debtor] unless—

(a) <sup>F242</sup>the debtor] appears at the hearing; or

<sup>F243</sup>(b) it is made under section 110(2) of the Act.]

<sup>F244</sup>(4) The written evidence on which the judgment creditor intends to rely must be served with the judgment summons.]

#### Textual Amendments

**F234** Words in Sch. 2 CCR Order 28 rule 2(2) substituted (1.10.2008) by [The Civil Procedure \(Amendment\) Rules 2008 \(S.I. 2008/2178\)](#), rules 1(2), **41(a)(i)**

**F235** Words in Sch. 2 CCR Order 28 rule 2(2) substituted (22.4.2014) by [The Civil Procedure \(Amendment No. 4\) Rules 2014 \(S.I. 2014/867\)](#), rules 1, **21(c)(i)** (with rule 25)

**F236** Words in Sch. 2 CCR Order 28 rule 2(2) substituted (1.10.2008) by [The Civil Procedure \(Amendment\) Rules 2008 \(S.I. 2008/2178\)](#), rules 1(2), **41(a)(ii)**

**F237** Words in Sch. 2 CCR Order 28 substituted (22.4.2014) by [The Civil Procedure \(Amendment No. 4\) Rules 2014 \(S.I. 2014/867\)](#), rules 1, **3(a)(iv)** (with rule 25)

**F238** Words in Sch. 2 CCR Order 28 rule 2(2) omitted (1.10.2008) by virtue of [The Civil Procedure \(Amendment\) Rules 2008 \(S.I. 2008/2178\)](#), rules 1(2), **41(a)(iii)**

**F239** Words in Sch. 2 CCR Order 28 rule 2(2) substituted (1.10.2008) by [The Civil Procedure \(Amendment\) Rules 2008 \(S.I. 2008/2178\)](#), rules 1(2), **41(a)(iv)**

**F240** Words in Sch. 2 CCR Order 28 rule 2(2) substituted (1.10.2008) by [The Civil Procedure \(Amendment\) Rules 2008 \(S.I. 2008/2178\)](#), rules 1(2), **41(a)(v)**

**F241** Words in Sch. 2 CCR Order 28 rule 2(3) substituted (22.4.2014) by [The Civil Procedure \(Amendment No. 4\) Rules 2014 \(S.I. 2014/867\)](#), rules 1, **21(c)(ii)** (with rule 25)

**F242** Words in Sch. 2 CCR Order 28 rule 2(3)(a) substituted (22.4.2014) by [The Civil Procedure \(Amendment No. 4\) Rules 2014 \(S.I. 2014/867\)](#), rules 1, **21(c)(iii)** (with rule 25)

**F243** Sch. 2 CCR Order 28 rule 2(3)(b) substituted (25.3.2002) by [The Civil Procedure \(Amendment No. 5\) Rules 2001 \(S.I. 2001/4015\)](#), rules 1(c), **39(b)(i)**

**F244** Sch. 2 CCR Order 28 rule 2(4) substituted (25.3.2002) by [The Civil Procedure \(Amendment No. 5\) Rules 2001 \(S.I. 2001/4015\)](#), rules 1(c), **39(b)(ii)**

#### Modifications etc. (not altering text)

**C7** Sch. 2 CCR Order 28 rule 2 excluded (6.4.2011) by [The Family Procedure Rules 2010 \(S.I. 2010/2955\)](#), **rule 33.18(1)** (with rules 2.1, 33.1(1))

**C8** Sch. 2 CCR Order 28 rule 2 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**

#### Time for service

**Rule 3.**—(1) <sup>F245</sup>The judgment summons and written evidence must] be served not less than 14 days before the day fixed for the hearing.

(2) A notice of non-service [<sup>F246</sup>will] be sent pursuant to CPR rule [<sup>F247</sup>6.18] in respect of a judgment summons which has been sent by post under rule 2 (2) and has been returned to the court <sup>F248</sup>... undelivered.

(3) CPR rules 7.5 and 7.6 <sup>F249</sup>... apply, with the necessary modifications, to a judgment summons as they apply to a claim form.

#### Textual Amendments

**F245** Words in Sch. 2 CCR Order 28 rule 3(1) substituted (25.3.2002) by The Civil Procedure (Amendment No. 5) Rules 2001 (S.I. 2001/4015), rules 1(c), **39(c)**

**F246** Word in Sch. 2 CCR Order 28 rule 3(2) substituted (1.10.2008) by The Civil Procedure (Amendment) Rules 2008 (S.I. 2008/2178), rules 1(2), **41(b)(i)(aa)**

**F247** Word in Sch. 2 CCR Order 28 rule 3(2) substituted (1.10.2008) by The Civil Procedure (Amendment) Rules 2008 (S.I. 2008/2178), rules 1(2), **41(b)(i)(bb)**

**F248** Word in Sch. 2 CCR Order 28 rule 3(2) omitted (1.10.2008) by virtue of The Civil Procedure (Amendment) Rules 2008 (S.I. 2008/2178), rules 1(2), **41(b)(i)(cc)**

**F249** Word in rule 3(3) omitted (1.10.2008) by virtue of The Civil Procedure (Amendment) Rules 2008 (S.I. 2008/2178), rules 1(2), **41(b)(ii)**

#### Modifications etc. (not altering text)

**C9** Sch. 2 CCR Order 28 rule 3(2) excluded (6.4.2011) by The Family Procedure Rules 2010 (S.I. 2010/2955), **rule 33.18(1)** (with rules 2.1, 33.1(1))

### Enforcement of debtor's attendance

**Rule 4.**—(1) Order 27, rules 7B and 8, shall apply, with the necessary modifications, to an order made under section 110 (1) of the Act for the attendance of the debtor at an adjourned hearing of a judgment summons as they apply to an order made under section 23 (1) of the Attachment of Earnings Act 1971(**41**) for the attendance of the debtor at an adjourned hearing of an application for an attachment of earnings order.

[<sup>F250</sup>(1A) An order made under section 110(1) of the Act must be served personally on the judgment debtor.

(1B) Copies of—

- (a) the judgment summons; and
- (b) the written evidence,

must be served with the order.]

(2) At the time of service of the order there shall be paid or tendered to the debtor a sum reasonably sufficient to cover [<sup>F251</sup>the debtor's] expenses in travelling to and from the court, unless such a sum was paid <sup>F252</sup>... at the time of service of the judgment summons.

#### Textual Amendments

**F250** Sch. 2 CCR Order 28 rule 4(1A)(1B) inserted (25.3.2002) by The Civil Procedure (Amendment No. 5) Rules 2001 (S.I. 2001/4015), rules 1(c), **39(d)**

**F251** Words in Sch. 2 CCR Order 28 rule 2(4) substituted (22.4.2014) by The Civil Procedure (Amendment No. 4) Rules 2014 (S.I. 2014/867), rules 1, **21(d)(i)** (with rule 25)

(41) 1971 c. 32; section 23(1) was amended by the Administration of Justice Act 1982 (c. 53), section 53(2).

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

**F252** Words in [Sch. 2 CCR Order 28 rule 2\(4\)](#) omitted (22.4.2014) by virtue of [The Civil Procedure \(Amendment No. 4\) Rules 2014 \(S.I. 2014/867\)](#), [rules 1, 21\(d\)\(ii\)](#) (with [rule 25](#))

### **[<sup>F253</sup>Evidence**

**Rule 5.**—(1) No person may be committed on an application for a judgment summons unless—

- (a) the order is made under section 110(2) of the Act; or
- (b) the judgment creditor proves that the debtor—
  - (i) has or has had since the date of the judgment or order the means to pay the sum in respect of which [<sup>F254</sup>default has been made]; and
  - (ii) has refused or neglected or refuses or neglects to pay that sum.

(2) The debtor may not be compelled to give evidence.]

#### **Textual Amendments**

**F253** [Sch. 2 CCR Order 28 rule 5](#) substituted (25.3.2002) by [The Civil Procedure \(Amendment No. 5\) Rules 2001 \(S.I. 2001/4015\)](#), [rules 1\(c\), 39\(e\)](#)

**F254** Words in [Sch. 2 CCR Order 28 rule 5\(1\)\(b\)\(i\)](#) substituted (22.4.2014) by [The Civil Procedure \(Amendment No. 4\) Rules 2014 \(S.I. 2014/867\)](#), [rules 1, 21\(e\)](#) (with [rule 25](#))

#### **Modifications etc. (not altering text)**

**C10** [Sch. 2 CCR Order 28 rule 5](#) excluded (6.4.2011) by [The Family Procedure Rules 2010 \(S.I. 2010/2955\)](#), [rule 33.18\(1\)](#) (with [rules 2.1, 33.1\(1\)](#))

### **Suspension of committal order**

**Rule 7.**—(1) If on the hearing of a judgment summons a committal order is made, the [<sup>F255</sup>court] may direct execution of the order to be suspended to enable the debtor to pay the amount due.

(2) A note of any direction given under paragraph (1) shall be entered in the records of the court and notice of the suspended committal order shall be sent to the debtor.

(3) Where a judgment summons is issued in respect of one or more but not all of the instalments payable under a judgment or order for payment by instalments and a committal order is made and suspended under paragraph (1), the judgment or order shall, unless the [<sup>F256</sup>court] otherwise orders, be suspended for so long as the execution of the committal order is suspended.

(4) Where execution of a committal order is suspended under paragraph (1) and the debtor subsequently desires to apply for a further suspension, the debtor shall attend at or write to the court office and apply for the suspension [<sup>F257</sup>desired], stating the reasons for [<sup>F258</sup>the debtor's] inability to comply with the terms of the original suspension, and the court shall fix a day for the hearing of the application by the [<sup>F259</sup>court] and give at least 3 days' notice thereof to the judgment creditor and the debtor.

(5) The [<sup>F237</sup>District Judge] may suspend execution of the committal order pending the hearing of an application under paragraph (4).

#### **Textual Amendments**

**F237** Words in [Sch. 2 CCR Order 28](#) substituted (22.4.2014) by [The Civil Procedure \(Amendment No. 4\) Rules 2014 \(S.I. 2014/867\)](#), [rules 1, 3\(a\)\(iv\)](#) (with [rule 25](#))

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

- F255** Word in Sch. 2 CCR Order 28 rule 7(1) substituted (22.4.2014) by [The Civil Procedure \(Amendment No. 4\) Rules 2014 \(S.I. 2014/867\)](#), rules 1, **21(f)(i)** (with rule 25)
- F256** Word in Sch. 2 CCR Order 28 rule 7(3) substituted (22.4.2014) by [The Civil Procedure \(Amendment No. 4\) Rules 2014 \(S.I. 2014/867\)](#), rules 1, **21(f)(ii)** (with rule 25)
- F257** Word in Sch. 2 CCR Order 28 rule 7(4) substituted (22.4.2014) by [The Civil Procedure \(Amendment No. 4\) Rules 2014 \(S.I. 2014/867\)](#), rules 1, **21(f)(iii)(aa)** (with rule 25)
- F258** Words in Sch. 2 CCR Order 28 rule 7(4) substituted (22.4.2014) by [The Civil Procedure \(Amendment No. 4\) Rules 2014 \(S.I. 2014/867\)](#), rules 1, **21(f)(iii)(bb)** (with rule 25)
- F259** Word in Sch. 2 CCR Order 28 rule 7(4) substituted (22.4.2014) by [The Civil Procedure \(Amendment No. 4\) Rules 2014 \(S.I. 2014/867\)](#), rules 1, **21(f)(iii)(cc)** (with rule 25)

**Modifications etc. (not altering text)**

- C11** Sch. 2 CCR Order 28 rule 7(1)(2) applied (6.4.2011) by [The Family Procedure Rules 2010 \(S.I. 2010/2955\)](#), **rule 33.18(3)** (with rules 2.1, 33.1(1), 33.16(2)(3))
- C12** Sch. 2 CCR Order 28 rule 7(3) excluded (6.4.2011) by [The Family Procedure Rules 2010 \(S.I. 2010/2955\)](#), **rule 33.18(1)** (with rules 2.1, 33.1(1))

**New order on judgment summons**

**Rule 8.**—(1) Where on the hearing of a judgment summons, the [<sup>F260</sup>court] makes a new order for payment of the amount of the judgment debt remaining unpaid, there shall be included in the amount payable under the order for the purpose of any enforcement proceedings, otherwise than by judgment summons, any amount in respect of which a committal order has already been made and the debtor imprisoned.

(2) No judgment summons under the new order shall include any amount in respect of which the debtor was imprisoned before the new order was made, and any amount subsequently paid shall be appropriated in the first instance to the amount due under the new order.

**Textual Amendments**

- F260** Word in Sch. 2 CCR Order 28 rule 8(1) substituted (22.4.2014) by [The Civil Procedure \(Amendment No. 4\) Rules 2014 \(S.I. 2014/867\)](#), rules 1, **21(g)** (with rule 25)

**Notification of order on judgment of High Court**

**Rule 9.**—(1) Notice of the result of the hearing of a judgment summons on a judgment or order of the High Court shall be sent by the [<sup>F261</sup>County Court] to the High Court.

[<sup>F262</sup>(2) If a committal order or a new order for payment is made on the hearing, the office copy of the judgment or order filed in the [<sup>F261</sup>County Court] shall be deemed to be a judgment or order of the court in which the judgment summons is heard.]

**Textual Amendments**

- F261** Words in Sch. 2 CCR Order 28 substituted (22.4.2014) by [The Civil Procedure \(Amendment No. 4\) Rules 2014 \(S.I. 2014/867\)](#), rules 1, **3(a)(ii)** (with art. 25)
- F262** Sch. 2 CCR Order 28 rule 9(2) substituted (25.3.2002) by [The Civil Procedure \(Amendment No. 4\) Rules 2001 \(S.I. 2001/2792\)](#), rules 1(c), **17** (with rule 24)

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**Modifications etc. (not altering text)**

- C13** Sch. 2 CCR Order 28 rule 9(1) applied (with modifications) (6.4.2011) by [The Family Procedure Rules 2010 \(S.I. 2010/2955\)](#), [rule 33.18\(2\)](#) (with [rules 2.1, 33.1\(1\)](#))
- C14** Sch. 2 CCR Order 28 rule 9(2) excluded (6.4.2011) by [The Family Procedure Rules 2010 \(S.I. 2010/2955\)](#), [rule 33.18\(1\)](#) (with [rules 2.1, 33.1\(1\)](#))

**Costs on judgment summons**

**Rule 10.**—(1) No costs shall be allowed to the judgment creditor on the hearing of a judgment summons unless—

- (a) a committal order is made; or
  - (b) the sum in respect of which the judgment summons was issued is paid before the hearing.
- (2) Where costs are allowed to the judgment creditor,
- (a) there may be allowed—
    - (i) a charge of the judgment creditor’s solicitor for attending the hearing and, if the [F263court] so directs, for serving the judgment summons;
    - (ii) a fee to counsel if the court certifies that the case is fit for counsel;
    - (iii) any travelling expenses paid to the debtor, and
    - (iv) the court fee on the issue of the judgment summons;
  - (b) the costs may be fixed and allowed without detailed assessment under CPR Part 47.

F264(3) .....

**Textual Amendments**

- F263** Word in [Sch. 2 CCR Order 28 rule 10\(2\)\(a\)\(i\)](#) substituted (22.4.2014) by [The Civil Procedure \(Amendment No. 4\) Rules 2014 \(S.I. 2014/867\)](#), [rules 1, 21\(h\)](#) (with [rule 25](#))
- F264** [Sch. 2 CCR Order 28 rule 10\(3\)](#) omitted (25.3.2002) by virtue of [The Civil Procedure \(Amendment No. 5\) Rules 2001 \(S.I. 2001/4015\)](#), [rules 1\(c\), 39\(f\)](#)

**Modifications etc. (not altering text)**

- C15** [Sch. 2 CCR Order 28 rule 10](#) 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 warrant of committal**

**Rule 11.**—(1) A judgment creditor desiring a warrant to be issued pursuant to a committal order shall file a request in that behalf.

(2) Where two or more debtors are to be committed in respect of the same judgment or order, a separate warrant of committal shall be issued for each of them.

F265(3) .....

**Textual Amendments**

- F265** [Sch. 2 CCR Order 28 rule 11\(3\)](#) omitted (22.4.2014) by virtue of [The Civil Procedure \(Amendment No. 4\) Rules 2014 \(S.I. 2014/867\)](#), [rules 1, 21\(i\)](#) (with [rule 25](#))



## Notification to foreign court of part payment before debtor lodged in prison

### <sup>F266</sup>Rule 12 .....

#### Textual Amendments

**F266** Sch. 2 CCR Order 28 rule 12 omitted (22.4.2014) by virtue of [The Civil Procedure \(Amendment No. 4\) Rules 2014 \(S.I. 2014/867\)](#), rules 1, **21(j)** (with rule 25)

## Payment after debtor lodged in prison

**Rule 13.**—(1) Where, after the debtor has been lodged in prison under a warrant of committal, payment is made of the sum on payment of which the debtor is to be discharged, then—

(a) if the payment is made to the court <sup>F267</sup>..., [<sup>F268</sup>the court officer] shall make and sign a certificate of payment and send it by post or otherwise to the gaoler;

<sup>F269</sup>(b) .....

(c) if the payment is made to the gaoler, [<sup>F270</sup>the gaoler] shall sign a certificate of payment and send the amount to the court which made the committal order.

(2) Where, after the debtor has been lodged in prison under a warrant of committal, payment is made of an amount less than the sum on payment of which the debtor is to be discharged, then subject to paragraph (3), paragraph (1)(a) and (b) shall apply with the substitution of references to a notice of payment for the references to a certificate of payment and paragraph (1)(c) shall apply with the omission of the requirement to make and sign a certificate of payment.

(3) Where, after the making of a payment to which paragraph (2) relates, the balance of the sum on payment of which the debtor is to be discharged is paid, paragraph (1) shall apply without the modifications mentioned in paragraph (2).

#### Textual Amendments

**F267** Words in Sch. 2 CCR Order 28 rule 13(1)(a) omitted (22.4.2014) by virtue of [The Civil Procedure \(Amendment No. 4\) Rules 2014 \(S.I. 2014/867\)](#), rules 1, **21(k)(i)** (with rule 25)

**F268** Words in Sch. 2 CCR Order 28 rule 13(1)(a) substituted (26.4.1999) by [The Civil Procedure \(Amendment\) Rules 1999 \(S.I. 1999/1008\)](#), rules 1, **68(a)**

**F269** Sch. 2 CCR Order 28 rule 13(1)(b) omitted (22.4.2014) by virtue of [The Civil Procedure \(Amendment No. 4\) Rules 2014 \(S.I. 2014/867\)](#), rules 1, **21(k)(ii)** (with rule 25)

**F270** Words in Sch. 2 CCR Order 28 rule 13(1)(c) substituted (22.4.2014) by [The Civil Procedure \(Amendment No. 4\) Rules 2014 \(S.I. 2014/867\)](#), rules 1, **21(k)(iii)** (with rule 25)

## Discharge of debtor otherwise than on payment

**Rule 14.**—(1) Where the judgment creditor lodges with [<sup>F271</sup>court] a request that a debtor lodged in prison under a warrant of committal may be discharged from custody, [<sup>F271</sup>court] shall make an order for the discharge of the debtor in respect of the warrant of committal and the court shall send the gaoler a certificate of discharge.

(2) Where a debtor who has been lodged in prison under a warrant of committal desires to apply for <sup>F272</sup>... discharge under section 121 of the Act, the application shall be made to the judge in writing and without notice showing the reasons why the debtor alleges that [<sup>F273</sup>the debtor] is unable to pay the sum in respect of which [<sup>F273</sup>the debtor] has been committed and ought to be discharged and stating any offer which [<sup>F273</sup>the debtor] desires to make as to the terms on which <sup>F272</sup>... discharge is

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to be ordered, and Order 27, rule 8 (3) and (4), shall apply, with the necessary modifications, as it applies to an application by a debtor for <sup>F272</sup>... discharge from custody under section 23 (7) of the Attachment of Earnings Act 1971(42).

(3) If in a case to which paragraph (2) relates the debtor is ordered to be discharged from custody on terms which include liability to re-arrest if the terms are not complied with, the [<sup>F274</sup>court] may, on the application of the judgment creditor if the terms are not complied with, order the debtor to be re-arrested and imprisoned for such part of the term of imprisonment as remained unserved at the time of discharge.

(4) Where an order is made under paragraph (3), a duplicate warrant of committal shall be issued, indorsed with a certificate signed by the court officer as to the order of the judge.

**Textual Amendments**

- F271** Word in Sch. 2 CCR Order 28 rule 14(1) substituted (22.4.2014) by [The Civil Procedure \(Amendment No. 4\) Rules 2014 \(S.I. 2014/867\)](#), rules 1, **21(1)(i)** (with rule 25)
- F272** Word in Sch. 2 CCR Order 28 rule 14(2) omitted (22.4.2014) by virtue of [The Civil Procedure \(Amendment No. 4\) Rules 2014 \(S.I. 2014/867\)](#), rules 1, **21(1)(ii)(aa)** (with rule 25)
- F273** Words in Sch. 2 CCR Order 28 rule 14(2) substituted (22.4.2014) by [The Civil Procedure \(Amendment No. 4\) Rules 2014 \(S.I. 2014/867\)](#), rules 1, **21(1)(ii)(bb)** (with rule 25)
- F274** Word in Sch. 2 CCR Order 28 rule 14(3) substituted (22.4.2014) by [The Civil Procedure \(Amendment No. 4\) Rules 2014 \(S.I. 2014/867\)](#), rules 1, **21(1)(iii)** (with rule 25)

## CCR ORDER 29

### COMMITTAL FOR BREACH OF ORDER OR UNDERTAKING

#### Enforcement of judgment to do or abstain from doing any act

<sup>F275</sup>**Rule 1** .....

**Textual Amendments**

- F275** Sch. 2 CCR Order 29 omitted (1.10.2012) by virtue of [The Civil Procedure \(Amendment No.2\) Rules 2012 \(S.I. 2012/2208\)](#), rules 1, **19(a)** (with rule 20)

#### Undertaking given by party

<sup>F275</sup>**Rule 1A** .....

**Textual Amendments**

- F275** Sch. 2 CCR Order 29 omitted (1.10.2012) by virtue of [The Civil Procedure \(Amendment No.2\) Rules 2012 \(S.I. 2012/2208\)](#), rules 1, **19(a)** (with rule 20)



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### Solicitor's undertaking

<sup>F275</sup>**Rule 2** .....

#### Textual Amendments

**F275** Sch. 2 CCR Order 29 omitted (1.10.2012) by virtue of [The Civil Procedure \(Amendment No.2\) Rules 2012 \(S.I. 2012/2208\)](#), rules 1, **19(a)** (with rule 20)

### Discharge of person in custody

<sup>F275</sup>**Rule 3** .....

#### Textual Amendments

**F275** Sch. 2 CCR Order 29 omitted (1.10.2012) by virtue of [The Civil Procedure \(Amendment No.2\) Rules 2012 \(S.I. 2012/2208\)](#), rules 1, **19(a)** (with rule 20)

## CCR ORDER 30

### GARNISHEE PROCEEDINGS

### Attachment of debt due to judgment debtor

<sup>F276</sup>**Rule 1** .....

#### Textual Amendments

**F276** Sch. 2 CCR Order 30 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

<sup>F276</sup>**Rule 2** .....

#### Textual Amendments

**F276** Sch. 2 CCR Order 30 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)**)

### Preparation, service and effect of order to show cause

<sup>F276</sup>**Rule 3** .....

#### Textual Amendments

**F276** Sch. 2 CCR Order 30 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)**)

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**Notice by deposit-taking institution denying indebtedness**

<sup>F276</sup>**Rule 5** .....

.....  
**Textual Amendments**  
**F276** Sch. 2 CCR Order 30 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 where no notice given etc.**

<sup>F276</sup>**Rule 7** .....

.....  
**Textual Amendments**  
**F276** Sch. 2 CCR Order 30 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)**)

**Directions where dispute as to notice under rule 5**

<sup>F276</sup>**Rule 8** .....

.....  
**Textual Amendments**  
**F276** Sch. 2 CCR Order 30 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)**)

**Determination of liability in other cases**

<sup>F276</sup>**Rule 9** .....

.....  
**Textual Amendments**  
**F276** Sch. 2 CCR Order 30 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)**)

**Transfer of proceedings**

<sup>F276</sup>**Rule 10** .....

.....  
**Textual Amendments**  
**F276** Sch. 2 CCR Order 30 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**

<sup>F276</sup>**Rule 11** .....

**Status:** Point in time view as at 01/10/2018.

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

**Textual Amendments**

**F276** Sch. 2 CCR Order 30 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**

**F276** **Rule 12** .....

**Textual Amendments**

**F276** Sch. 2 CCR Order 30 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 of judgment creditor**

**F276** **Rule 13** .....

**Textual Amendments**

**F276** Sch. 2 CCR Order 30 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)**)

**Attachment of debt owed by firm**

**F276** **Rule 14** .....

**Textual Amendments**

**F276** Sch. 2 CCR Order 30 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)**)

**Powers of district judge**

**F276** **Rule 15** .....

**Textual Amendments**

**F276** Sch. 2 CCR Order 30 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 01/10/2018.  
**Changes to legislation:** There are currently no known outstanding effects for the The Civil Procedure Rules 1998. (See end of Document for details)

## CCR ORDER 31 CHARGING ORDERS

### Application for charging order

<sup>F277</sup> **Rule 1** .....

#### Textual Amendments

**F277** Sch. 2 CCR Order 31 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 on further consideration of application for charging order

<sup>F277</sup> **Rule 2** .....

#### Textual Amendments

**F277** Sch. 2 CCR Order 31 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 charging order etc.

<sup>F277</sup> **Rule 3** .....

#### Textual Amendments

**F277** Sch. 2 CCR Order 31 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

<sup>F277</sup> **Rule 4** .....

#### Textual Amendments

**F277** Sch. 2 CCR Order 31 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)**)

**F278 CCR ORDER 33**  
**INTERPLEADER PROCEEDINGS**

**Textual Amendments**

**F278** Sch. 2 CCR Order 33 omitted (6.4.2014) by virtue of [The Civil Procedure \(Amendment\) Rules 2014 \(S.I. 2014/407\)](#), rules 2(3), **38(e)** (with rule 41)

**Part I Under Execution**

**Notice of claim**

**F278** **Rule 1** .....

**Reply to interpleader claim**

**F278** **Rule 2** .....

**Order protecting district judge**

**F278** **Rule 3** .....

**Issue of interpleader proceedings**

**F278** **Rule 4** .....

**Claim for damages**

**F278** **Rule 5** .....

**Part II— Otherwise than under Execution**

**Application for relief**

**F278** **Rule 6** .....

**Relief in pending claim**

**F278** **Rule 7** .....

**Relief otherwise than in pending claim**

**F278** **Rule 8** .....

**Payment into court etc.**

**F278** **Rule 9** .....

*Status: Point in time view as at 01/10/2018.  
Changes to legislation: There are currently no known outstanding effects  
for the The Civil Procedure Rules 1998. (See end of Document for details)*

**Reply by interpleader claimant**

<sup>F278</sup>**Rule 10** .....

**Order barring interpleader claim etc.**

<sup>F278</sup>**Rule 11** .....

**CCR ORDER 34**

**PENAL AND DISCIPLINARY PROVISIONS**

**Issue and service of summons for offence under s.14, 92 or 124 of the Act**

<sup>F279</sup>**Rule 1** .....

.....  
**Textual Amendments**  
**F279** Sch. 2 CCR Order 29 omitted (1.10.2012) by virtue of [The Civil Procedure \(Amendment No.2\) Rules 2012 \(S.I. 2012/2208\)](#), rules 1, **19(b)** (with rule 20)

**Committal under s.14, 92 or 118 of the Act**

<sup>F279</sup>**Rule 1A** .....

.....  
**Textual Amendments**  
**F279** Sch. 2 CCR Order 29 omitted (1.10.2012) by virtue of [The Civil Procedure \(Amendment No.2\) Rules 2012 \(S.I. 2012/2208\)](#), rules 1, **19(b)** (with rule 20)

**Notice to show cause before or after fine under s.55 of the Act**

<sup>F279</sup>**Rule 2** .....

.....  
**Textual Amendments**  
**F279** Sch. 2 CCR Order 29 omitted (1.10.2012) by virtue of [The Civil Procedure \(Amendment No.2\) Rules 2012 \(S.I. 2012/2208\)](#), rules 1, **19(b)** (with rule 20)

**Non-payment of fine**

<sup>F279</sup>**Rule 3** .....

.....  
**Textual Amendments**  
**F279** Sch. 2 CCR Order 29 omitted (1.10.2012) by virtue of [The Civil Procedure \(Amendment No.2\) Rules 2012 \(S.I. 2012/2208\)](#), rules 1, **19(b)** (with rule 20)

**Status:** Point in time view as at 01/10/2018.

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

## Repayment of fine

<sup>F279</sup>**Rule 4** .....

### Textual Amendments

**F279** Sch. 2 CCR Order 29 omitted (1.10.2012) by virtue of [The Civil Procedure \(Amendment No.2\) Rules 2012 \(S.I. 2012/2208\)](#), rules 1, **19(b)** (with rule 20)

## <sup>F280</sup>CCR ORDER 35

### ENFORCEMENT OF COUNTY COURT JUDGMENTS OUTSIDE ENGLAND AND WALES

### Textual Amendments

**F280** Sch. 2 CCR Order 35 revoked (2.12.2002) by [The Civil Procedure \(Amendment\) Rules 2002 \(S.I. 2002/2058\)](#), rule 1(b), **Sch. 10**

### *Part I—Enforcement outside United Kingdom*

#### Interpretation of Part I

<sup>F280</sup>**Rule 1** .....

#### Application under s.10 of the Act of 1933 for certified copy of county court judgment

<sup>F280</sup>**Rule 2** .....

#### Application under s.12 of the Act of 1982 for certified copy of county court judgment

<sup>F280</sup>**Rule 3** .....

#### Application under Article 54 of the Council Regulation (EC) No. 44/2001 of 22nd December 2000 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters

<sup>F280</sup>**Rule 3A.** .....

### *Part II—Enforcement in other parts of the United Kingdom*

#### Interpretation of Part II

<sup>F280</sup>**Rule 4** .....

#### Application for certificate of money provision

<sup>F280</sup>**Rule 5** .....

*Status: Point in time view as at 01/10/2018.  
Changes to legislation: There are currently no known outstanding effects  
for the The Civil Procedure Rules 1998. (See end of Document for details)*

**Application for certified copy of judgment containing non-money provision**

<sup>F280</sup>**Rule 6** .....

<sup>F281</sup>**CCR ORDER 37...**

**REHEARING, SETTING ASIDE AND APPEAL FROM DISTRICT JUDGE**

**Textual Amendments**

<sup>F281</sup> Sch. 2 CCR Order 37 revoked (2.12.2002) by [The Civil Procedure \(Amendment\) Rules 2002 \(S.I. 2002/2058\)](#), rule 1(b), **Sch. 10**

**Rehearing**

<sup>F281</sup>**Rule 1** .....

**Appeal from district judge**

<sup>F281</sup>**Rule 6** .....

**Imposition of terms and stay of execution**

<sup>F281</sup>**Rule 8** .....

<sup>F282</sup>**CCR ORDER 38**

**COSTS**

**Textual Amendments**

<sup>F282</sup> Sch. 2 CCR Order 38 revoked (1.4.2005) by [The Civil Procedure \(Amendment No. 4\) Rules 2004 \(S.I. 2004/3419\)](#), rules 1, **17(c)**

**Fixed costs**

<sup>F282</sup>**Rule 18** .....

<sup>F282</sup>**APPENDIX B**

**PART I**

<sup>F282</sup> ...



## F282 Part II

### Judgments

F282 ...

## F282 PART III

### Miscellaneous Proceedings

F282 ...

## CCR ORDER 39

### ADMINISTRATION ORDERS

#### Exercise of powers <sup>F283</sup> ...

**Rule 1** Any powers conferred on the court by Part VI of the Act, section 4 of the Attachment of Earnings Act 1971(43) or this Order may be exercised by [<sup>F284</sup>a judge of the County Court] or, in the circumstances mentioned in this Order, by the court officer.

#### Textual Amendments

**F283** Words in Sch. 2 CCR Order 39 rule 1 heading omitted (22.4.2014) by virtue of [The Civil Procedure \(Amendment No. 4\) Rules 2014 \(S.I. 2014/867\)](#), rules 1, **22(b)(i)** (with rule 25)

**F284** Words in Sch. 2 CCR Order 39 rule 1 substituted (22.4.2014) by [The Civil Procedure \(Amendment No. 4\) Rules 2014 \(S.I. 2014/867\)](#), rules 1, **22(b)(ii)** (with rule 25)

#### Request and list of creditors

**Rule 2.**—(1) A debtor who desires to obtain an administration order under Part VI of the Act shall file a request in that behalf [<sup>F285</sup>at the County Court hearing centre which serves the address where the debtor] resides or carries on business.

(2) Where on <sup>F286</sup>... examination under [<sup>F287</sup>CPR Part 71], or otherwise, a debtor furnishes to the court on oath a list of <sup>F286</sup>... creditors and the amounts [<sup>F288</sup>owed] to them respectively and sufficient particulars of <sup>F286</sup>... [<sup>F289</sup>the debtor's] resources and needs, the court may proceed as if the debtor had filed a request under paragraph (1).

(3) Where a debtor is ordered to furnish a list under section 4 (1)(b) of the said Act of 1971, then, unless otherwise directed, the list shall be filed within 14 days after the making of the order.

#### Textual Amendments

**F285** Words in Sch. 2 CCR Order 39 rule 2(1) substituted (22.4.2014) by [The Civil Procedure \(Amendment No. 4\) Rules 2014 \(S.I. 2014/867\)](#), rules 1, **22(c)(i)** (with rule 25)

(43) 1971 c. 32; section 4 was amended by the Insolvency Act 1976 (c. 60), section 13(2); and by the County Courts Act 1984 (c. 28), section 148(1), schedule 2, Part V, paragraph 40.

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- F286** Word in Sch. 2 CCR Order 39 rule 2(2) omitted (22.4.2014) by virtue of The Civil Procedure (Amendment No. 4) Rules 2014 (S.I. 2014/867), rules 1, **22(c)(ii)(aa)** (with rule 25)
- F287** Words in Sch. 2 CCR Order 39 rule 2(2) substituted (25.3.2002) by The Civil Procedure (Amendment No. 4) Rules 2001 (S.I. 2001/2792), rules 1(c), **19** (with rule 24)
- F288** Word in Sch. 2 CCR Order 39 rule 2(2) substituted (22.4.2014) by The Civil Procedure (Amendment No. 4) Rules 2014 (S.I. 2014/867), rules 1, **22(c)(ii)(bb)** (with rule 25)
- F289** Words in Sch. 2 CCR Order 39 rule 2(2) inserted (22.4.2014) by The Civil Procedure (Amendment No. 4) Rules 2014 (S.I. 2014/867), rules 1, **22(c)(ii)(cc)** (with rule 25)

### Verification on oath

**Rule 3** The statements in the request mentioned in rule 2 (1) and the list mentioned in rule 2 (3) shall be verified by the debtor on oath.

### Orders made by the court officer

**Rule 5.**—(1) The question whether an administration order should be made, and the terms of such an order, may be decided by the court officer in accordance with the provisions of this rule.

(2) On the filing of a request or list under rule 2, the court officer may, if [<sup>F290</sup>the court officer] considers that the debtor's means are sufficient to discharge in full and within a reasonable period the total amount of the debts included in the list, determine the amount and frequency of the payments to be made under such an order ("the proposed rate") and—

- (a) notify the debtor of the proposed rate requiring [<sup>F291</sup>the debtor] to give written reasons for any objection [<sup>F292</sup>... to the proposed rate within 14 days of service of [<sup>F293</sup>that notification];
- (b) send to each creditor mentioned in the list provided by the debtor a copy of the debtor's request or of the list together with the proposed rate;
- (c) require any such creditor to give written reasons for any objection [<sup>F294</sup>the creditor] may have to the making of an administration order within 14 days of service of the documents mentioned in sub-paragraph (b) upon [<sup>F295</sup>the creditor].

Objections under sub-paragraph (c) may be to the making of an order, to the proposed rate or to the inclusion of a particular debt in the order.

(3) Where no objection under paragraph (2)(a) or (c) is received within the time stated, the court officer may make an administration order providing for payment in full of the total amount of the debts included in the list.

(4) Where the debtor or a creditor notifies the court of any objection within the time stated, the court officer shall fix a day for a hearing at which the [<sup>F296</sup>court] will decide whether an administration order should be made and the court officer shall give not less than 14 days' notice of the day so fixed to the debtor and to each creditor mentioned in the list provided by the debtor.

(5) Where the court officer is unable to fix a rate under paragraph (2) (whether because [<sup>F297</sup>the court officer] considers that the debtor's means are insufficient or otherwise), [<sup>F298</sup>the request shall be referred to the court].

(6) Where the [<sup>F299</sup>the court considers that it is] able to do so without the attendance of the parties, [<sup>F300</sup>... the proposed rate providing for payment of the debts included in the list [<sup>F301</sup>may be fixed] in full or to such extent and within such a period as appears practicable in the circumstances of the case.

(7) Where the proposed rate is fixed under paragraph (6), paragraphs (2) to (4) shall apply with the necessary modifications as if the rate had been fixed by the court officer.

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(8) Where the [<sup>F302</sup>court] does not fix the proposed rate under paragraph (6), [<sup>F303</sup>it will] direct the court officer to fix a day for a hearing at which the [<sup>F302</sup>court] will decide whether an administration order should be made and the court officer shall give not less than 14 days' notice of the day so fixed to the debtor and to each creditor mentioned in the list provided by the debtor.

(9) Where an administration order is made under paragraph (3), the court officer may exercise the power of the court under section 5 of the Attachment of Earnings Act 1971 to make an attachment of earnings order to secure the payments required by the administration order.

#### Textual Amendments

- F290** Words in Sch. 2 CCR Order 39 rule 5(2) substituted (22.4.2014) by [The Civil Procedure \(Amendment No. 4\) Rules 2014 \(S.I. 2014/867\)](#), rules 1, **22(d)(i)** (with rule 25)
- F291** Words in Sch. 2 CCR Order 39 rule 5(2)(a) substituted (22.4.2014) by [The Civil Procedure \(Amendment No. 4\) Rules 2014 \(S.I. 2014/867\)](#), rules 1, **22(d)(ii)(aa)** (with rule 25)
- F292** Words in Sch. 2 CCR Order 39 rule 5(2)(a) omitted (22.4.2014) by virtue of [The Civil Procedure \(Amendment No. 4\) Rules 2014 \(S.I. 2014/867\)](#), rules 1, **22(d)(ii)(bb)** (with rule 25)
- F293** Words in Sch. 2 CCR Order 39 rule 5(2)(a) substituted (22.4.2014) by [The Civil Procedure \(Amendment No. 4\) Rules 2014 \(S.I. 2014/867\)](#), rules 1, **22(d)(ii)(cc)** (with rule 25)
- F294** Words in Sch. 2 CCR Order 39 rule 5(2)(c) substituted (22.4.2014) by [The Civil Procedure \(Amendment No. 4\) Rules 2014 \(S.I. 2014/867\)](#), rules 1, **22(d)(iii)(aa)** (with rule 25)
- F295** Words in Sch. 2 CCR Order 39 rule 5(2)(c) substituted (22.4.2014) by [The Civil Procedure \(Amendment No. 4\) Rules 2014 \(S.I. 2014/867\)](#), rules 1, **22(d)(iii)(bb)** (with rule 25)
- F296** Word in Sch. 2 CCR Order 39 rule 5(4) substituted (22.4.2014) by [The Civil Procedure \(Amendment No. 4\) Rules 2014 \(S.I. 2014/867\)](#), rules 1, **22(d)(iv)** (with rule 25)
- F297** Words in Sch. 2 CCR Order 39 rule 5(5) substituted (22.4.2014) by [The Civil Procedure \(Amendment No. 4\) Rules 2014 \(S.I. 2014/867\)](#), rules 1, **22(d)(v)(aa)** (with rule 25)
- F298** Words in Sch. 2 CCR Order 39 rule 5(5) substituted (22.4.2014) by [The Civil Procedure \(Amendment No. 4\) Rules 2014 \(S.I. 2014/867\)](#), rules 1, **22(d)(v)(bb)** (with rule 25)
- F299** Words in Sch. 2 CCR Order 39 rule 5(6) substituted (22.4.2014) by [The Civil Procedure \(Amendment No. 4\) Rules 2014 \(S.I. 2014/867\)](#), rules 1, **22(d)(vi)(aa)** (with rule 25)
- F300** Words in Sch. 2 CCR Order 39 rule 5(6) omitted (22.4.2014) by virtue of [The Civil Procedure \(Amendment No. 4\) Rules 2014 \(S.I. 2014/867\)](#), rules 1, **22(d)(vi)(bb)** (with rule 25)
- F301** Words in Sch. 2 CCR Order 39 rule 5(6) inserted (22.4.2014) by [The Civil Procedure \(Amendment No. 4\) Rules 2014 \(S.I. 2014/867\)](#), rules 1, **22(d)(vi)(cc)** (with rule 25)
- F302** Word in Sch. 2 CCR Order 39 rule 5(8) substituted (22.4.2014) by [The Civil Procedure \(Amendment No. 4\) Rules 2014 \(S.I. 2014/867\)](#), rules 1, **22(d)(vii)(aa)** (with rule 25)
- F303** Words in Sch. 2 CCR Order 39 rule 5(8) substituted (22.4.2014) by [The Civil Procedure \(Amendment No. 4\) Rules 2014 \(S.I. 2014/867\)](#), rules 1, **22(d)(vii)(bb)** (with rule 25)

#### Notice of objection by creditor

**Rule 6.**—(1) Any creditor to whom notice has been given under rule 5 (8) and who objects to any debt included in the list furnished by the debtor shall, not less than 7 days before the day of hearing, give notice of [<sup>F304</sup>that] objection, stating the grounds thereof, to the court officer, to the debtor and to the creditor to whose debt [<sup>F305</sup>the objection is made].

(2) Except with the permission of the court, no creditor may object to a debt unless [<sup>F306</sup>that creditor has given notice of the] objection under paragraph (1).

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#### Textual Amendments

- F304** Word in Sch. 2 CCR Order 39 rule 6(1) substituted (22.4.2014) by [The Civil Procedure \(Amendment No. 4\) Rules 2014 \(S.I. 2014/867\)](#), rules 1, **22(e)(i)(aa)** (with rule 25)
- F305** Words in Sch. 2 CCR Order 39 rule 6(1) substituted (22.4.2014) by [The Civil Procedure \(Amendment No. 4\) Rules 2014 \(S.I. 2014/867\)](#), rules 1, **22(e)(i)(bb)** (with rule 25)
- F306** Words in Sch. 2 CCR Order 39 rule 6(2) substituted (22.4.2014) by [The Civil Procedure \(Amendment No. 4\) Rules 2014 \(S.I. 2014/867\)](#), rules 1, **22(e)(ii)** (with rule 25)

#### Procedure on day of hearing

**Rule 7** On the day of the hearing—

- (a) any creditor, whether or not <sup>F307</sup>... mentioned in the list furnished by the debtor, may attend and prove [<sup>F308</sup>their] debt or, subject to rule 6, object to any debt included in that list;
- (b) every debt included in that list shall be taken to be proved unless it is objected to by a creditor or disallowed by the court or required by the court to be supported by evidence;
- (c) any creditor whose debt is required by the court to be supported by evidence shall prove [<sup>F309</sup>that] debt;
- (d) the court may adjourn proof of any debt and, if it does so, may either adjourn consideration of the question whether an administration order should be made or proceed to determine the question, in which case, if an administration order is made, the debt, when proved, shall be added to the debts scheduled to the order;
- (e) any creditor whose debt is admitted or proved, and, with the permission of the court, any creditor the proof of whose debt has been adjourned, shall be entitled to be heard and to adduce evidence on the question whether an administration order should be made and, if so, in what terms.

#### Textual Amendments

- F307** Words in Sch. 2 CCR Order 39 rule 7(a) omitted (22.4.2014) by virtue of [The Civil Procedure \(Amendment No. 4\) Rules 2014 \(S.I. 2014/867\)](#), rules 1, **22(f)(i)(aa)** (with rule 25)
- F308** Word in Sch. 2 CCR Order 39 rule 7(a) substituted (22.4.2014) by virtue of [The Civil Procedure \(Amendment No. 4\) Rules 2014 \(S.I. 2014/867\)](#), rules 1, **22(f)(i)(bb)** (with rule 25)
- F309** Word in Sch. 2 CCR Order 39 rule 7(c) substituted (22.4.2014) by [The Civil Procedure \(Amendment No. 4\) Rules 2014 \(S.I. 2014/867\)](#), rules 1, **22(f)(ii)** (with rule 25)

#### Direction for order to be subject to review

**Rule 8.**—(1) The court may, on making an administration order or at any subsequent time, direct that the order shall be subject to review at such time or at such intervals as the court may specify.

(2) Where the court has directed that an administration order shall be subject to review, the court officer shall give to the debtor and to every creditor who appeared when the order was made not less than 7 days' notice of any day appointed for such a review.

(3) Nothing in this rule shall require the court officer to fix a day for a review under rule 13A.

#### Service of order

**Rule 9** Where an administration order is made, the court officer shall send a copy to—

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- (a) the debtor;
- (b) every creditor whose name was included in the list furnished by the debtor;
- (c) any other creditor who has proved [<sup>F310</sup>their] debt; and
- (d) every other court in which, to the knowledge of the [<sup>F311</sup>court], judgment has been obtained against the debtor or proceedings are pending in respect of any debt scheduled to the order.

#### Textual Amendments

**F310** Word in Sch. 2 CCR Order 39 rule 9(c) substituted (22.4.2014) by [The Civil Procedure \(Amendment No. 4\) Rules 2014 \(S.I. 2014/867\)](#), rules 1, **22(g)(i)** (with rule 25)

**F311** Word in Sch. 2 CCR Order 39 rule 9(d) substituted (22.4.2014) by [The Civil Procedure \(Amendment No. 4\) Rules 2014 \(S.I. 2014/867\)](#), rules 1, **22(g)(ii)** (with rule 25)

#### Subsequent objection by creditor

**Rule 10.**—(1) After an administration order has been made, a creditor who has not received notice under rule 5 and who wishes to object to a debt scheduled to the order, or to the manner in which payment is directed to be made by instalments, shall give notice to the court officer of [<sup>F312</sup>that] objection and of the grounds thereof.

(2) On receipt of such notice the court shall consider the objection and may—

- (a) allow it;
- (b) dismiss it; or
- (c) adjourn it for hearing on notice being given to such persons and on such terms as to security for costs or otherwise as the court thinks fit.

(3) Without prejudice to the generality of paragraph (2), the court may dismiss an objection if it is not satisfied that the creditor gave notice of it within a reasonable time of [<sup>F313</sup>the creditor] becoming aware of the administration order.

#### Textual Amendments

**F312** Word in Sch. 2 CCR Order 39 rule 10(1) substituted (22.4.2014) by [The Civil Procedure \(Amendment No. 4\) Rules 2014 \(S.I. 2014/867\)](#), rules 1, **22(h)(i)** (with rule 25)

**F313** Words in Sch. 2 CCR Order 39 rule 10(3) substituted (22.4.2014) by [The Civil Procedure \(Amendment No. 4\) Rules 2014 \(S.I. 2014/867\)](#), rules 1, **22(h)(ii)** (with rule 25)

#### Subsequent proof by creditor

**Rule 11.**—(1) Any creditor whose debt is not scheduled to an administration order, and any person who after the date of the order became a creditor of the debtor, shall, if [<sup>F314</sup>that creditor] wishes to prove [<sup>F315</sup>that] debt, send particulars of [<sup>F316</sup>the] claim to the court officer, who shall give notice of it to the debtor and to every creditor whose debt is so scheduled.

(2) If neither the debtor nor any creditor gives notice to the court officer, within 7 days after receipt of notice under paragraph (1), that [<sup>F317</sup>they object] to the claim, then, unless it is required by the court to be supported by evidence, the claim shall be taken to be proved.

(3) If the debtor or a creditor gives notice of objection within the said period of 7 days or the court requires the claim to be supported by evidence, the court officer shall fix a day for consideration of the claim and give notice of it to the debtor, the creditor by whom the claim was made and the

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creditor, if any, making the objection, and on the hearing the court may either disallow the claim or allow it in whole or in part.

(4) If a claim is taken to be proved under paragraph (2) or allowed under paragraph (3), the debt shall be added to the schedule to the order and a copy of the order shall then be sent to the creditor by whom the claim was made.

#### Textual Amendments

**F314** Words in Sch. 2 CCR Order 39 rule 11(1) substituted (22.4.2014) by [The Civil Procedure \(Amendment No. 4\) Rules 2014 \(S.I. 2014/867\)](#), rules 1, **22(i)(aa)** (with rule 25)

**F315** Word in Sch. 2 CCR Order 39 rule 11(1) substituted (22.4.2014) by [The Civil Procedure \(Amendment No. 4\) Rules 2014 \(S.I. 2014/867\)](#), rules 1, **22(i)(bb)** (with rule 25)

**F316** Word in Sch. 2 CCR Order 39 rule 11(1) substituted (22.4.2014) by [The Civil Procedure \(Amendment No. 4\) Rules 2014 \(S.I. 2014/867\)](#), rules 1, **22(i)(cc)** (with rule 25)

**F317** Words in Sch. 2 CCR Order 39 rule 11(2) substituted (22.4.2014) by [The Civil Procedure \(Amendment No. 4\) Rules 2014 \(S.I. 2014/867\)](#), rules 1, **22(i)(ii)** (with rule 25)

#### Permission to present bankruptcy petition

**Rule 12** An application by a creditor under section 112 (4) of the Act<sup>(44)</sup> for permission to present or join in a bankruptcy petition shall be made on notice to the debtor in accordance with CPR Part 23, but the court may, if it thinks fit, order that notice be given to any other creditor whose debt is scheduled to the administration order.

#### Conduct of order

**Rule 13.**—(1) The court manager or such other officer of the court as the court making an administration order shall from time to time appoint shall have the conduct of the order and shall take all proper steps to enforce the order (including exercising the power of the court under section 5 of the Attachment of Earnings Act 1971 to make an attachment of earnings order to secure payments required by the administration order) or to bring to the attention of the court any matter which may make it desirable to review the order.

(2) Without prejudice to section 115 of the Act, any creditor whose debt is scheduled to the order may, with the permission of the court, take proceedings to enforce the order.

(3) The debtor or, with the permission of the court, any such creditor may apply to the court to review the order.

(4) When on a matter being brought to its attention under paragraph (1) the court so directs or the debtor or a creditor applies for the review of an administration order, rule 8 (2) shall apply as if the order were subject to review under that rule.

(5) Nothing in this rule shall require the court officer to fix a day for a review under rule 13A.

#### Review by court officer in default of payment

**Rule 13A.**—(1) Where it appears that the debtor is failing to make payments in accordance with the order, the court officer shall (either of <sup>F318</sup>the court officer's] own initiative or on the application of a creditor whose debt is scheduled to the administration order) send a notice to the debtor—

(a) informing <sup>F319</sup>the debtor] of the amounts which are outstanding; and

(b) requiring <sup>F320</sup>the debtor] (within 14 days of service of the notice upon <sup>F320</sup>the debtor]) to

<sup>(44)</sup> Section 112 was amended by the Insolvency Act 1985 (c. 65), section 220(2).



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- (i) make the payments as required by the order; or
- (ii) explain [<sup>F321</sup>the] reasons for failing to make the payments; and
- (iii) make a proposal for payment of the amounts outstanding, or
- (iv) make a request to vary the order.

(2) If the debtor does not comply with paragraph (1)(b) within the time stated, the court officer shall revoke the administration order.

(3) [<sup>F322</sup>If a debtor gives notice under paragraph (1)(b)(ii), (iii) or (iv), the court may—]

(a) without requiring the attendance of the parties—

(i) revoke the administration order or vary it so as to provide for payment of the debts included in the order in full or to such extent and within such a period as appears practicable in the circumstances of the case; or

(ii) suspend the operation of the administration order for such time and on such terms as [<sup>F323</sup>it] thinks fit; or

(b) require the court officer to fix a day for the review of the administration order and to give to the debtor and to every creditor whose debt is scheduled to the administration order not less than 8 days' notice of the day so fixed.

(4) Any party affected by an order made under paragraph (2) or (3)(a) may, within 14 days of service of the order on [<sup>F324</sup>them] and giving [<sup>F325</sup>their] reasons, apply on notice for the [<sup>F326</sup>court] to consider the matter afresh and the court officer shall fix a day for the hearing of the application <sup>F327</sup>... and give to the debtor and to every creditor whose debt is scheduled to the administration order not less than 8 days' notice of the day so fixed.

(5) On hearing an application under paragraph (4), the [<sup>F328</sup>court] may confirm the order or set it aside and make such new order as [<sup>F329</sup>it] thinks fit and the order so made shall be entered in the records of the court.

### Textual Amendments

- F318** Words in Sch. 2 CCR Order 39 rule 13A(1) substituted (22.4.2014) by [The Civil Procedure \(Amendment No. 4\) Rules 2014 \(S.I. 2014/867\)](#), rules 1, **22(j)(i)(aa)** (with rule 25)
- F319** Words in Sch. 2 CCR Order 39 rule 13A(1)(a) substituted (22.4.2014) by [The Civil Procedure \(Amendment No. 4\) Rules 2014 \(S.I. 2014/867\)](#), rules 1, **22(j)(i)(bb)** (with rule 25)
- F320** Words in Sch. 2 CCR Order 39 rule 13A(1)(b) substituted (22.4.2014) by [The Civil Procedure \(Amendment No. 4\) Rules 2014 \(S.I. 2014/867\)](#), rules 1, **22(j)(i)(bb)** (with rule 25)
- F321** Word in Sch. 2 CCR Order 39 rule 13A(1)(b)(ii) substituted (22.4.2014) by [The Civil Procedure \(Amendment No. 4\) Rules 2014 \(S.I. 2014/867\)](#), rules 1, **22(j)(i)(cc)** (with rule 25)
- F322** Words in Sch. 2 CCR Order 39 rule 13A(3) substituted (22.4.2014) by [The Civil Procedure \(Amendment No. 4\) Rules 2014 \(S.I. 2014/867\)](#), rules 1, **22(j)(ii)(aa)** (with rule 25)
- F323** Word in Sch. 2 CCR Order 39 rule 13A(3)(a)(ii) substituted (22.4.2014) by [The Civil Procedure \(Amendment No. 4\) Rules 2014 \(S.I. 2014/867\)](#), rules 1, **22(j)(ii)(bb)** (with rule 25)
- F324** Word in Sch. 2 CCR Order 39 rule 13A(4) substituted (22.4.2014) by [The Civil Procedure \(Amendment No. 4\) Rules 2014 \(S.I. 2014/867\)](#), rules 1, **22(j)(iii)(aa)** (with rule 25)
- F325** Word in Sch. 2 CCR Order 39 rule 13A(4) substituted (22.4.2014) by [The Civil Procedure \(Amendment No. 4\) Rules 2014 \(S.I. 2014/867\)](#), rules 1, **22(j)(iii)(bb)** (with rule 25)
- F326** Word in Sch. 2 CCR Order 39 rule 13A(4) substituted (22.4.2014) by [The Civil Procedure \(Amendment No. 4\) Rules 2014 \(S.I. 2014/867\)](#), rules 1, **22(j)(iii)(cc)** (with rule 25)
- F327** Words in Sch. 2 CCR Order 39 rule 13A(4) omitted (22.4.2014) by virtue of [The Civil Procedure \(Amendment No. 4\) Rules 2014 \(S.I. 2014/867\)](#), rules 1, **22(j)(iii)(dd)** (with rule 25)

**Status:** Point in time view as at 01/10/2018.

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

**F328** Word in Sch. 2 CCR Order 39 rule 13A(5) substituted (22.4.2014) by The Civil Procedure (Amendment No. 4) Rules 2014 (S.I. 2014/867), rules 1, **22(j)(iv)(aa)** (with rule 25)

**F329** Word in Sch. 2 CCR Order 39 rule 13A(5) substituted (22.4.2014) by The Civil Procedure (Amendment No. 4) Rules 2014 (S.I. 2014/867), rules 1, **22(j)(iv)(bb)** (with rule 25)

## Review of order

**Rule 14.**—(1) On the review of an administration order the court may—

- (a) if satisfied that the debtor is unable from any cause to pay any instalment due under the order, suspend the operation of the order for such time and on such terms as it thinks fit;
- (b) if satisfied that there has been a material change in any relevant circumstances since the order was made, vary any provision of the order made by virtue of section 112 (6) of the Act;
- (c) if satisfied that the debtor has failed without reasonable cause to comply with any provision of the order or that it is otherwise just and expedient to do so, revoke the order, either forthwith or on failure to comply with any condition specified by the court; or
- (d) make an attachment of earnings order to secure the payments required by the administration order or vary or discharge any such attachment of earnings order already made.

(2) The court officer shall send a copy of any order varying or revoking an administration order to the debtor, to every creditor whose debt is scheduled to the administration order and, if the administration order is revoked, to any other court to which a copy of the administration order was sent pursuant to rule 9.

## Discharge of attachment of earnings order

**Rule 16** On the revocation of an administration order any attachment of earnings order made to secure the payments required by the administration order shall be discharged.

## Declaration of dividends

**Rule 17.**—(1) The officer having the conduct of an administration order shall from time to time declare dividends and distribute them among the creditors entitled to them.

(2) When a dividend is declared, notice shall be sent by the officer to each of the creditors.

## Creditors to rank equally

**Rule 18** All creditors scheduled under section 113 (d) of the Act<sup>(45)</sup> before an administration order is superseded under section 117 (2) of the Act shall rank equally in proportion to the amount of their debts subject to the priority given by the said paragraph (d) to those scheduled as having been creditors before the date of the order, but no payment made to any creditor by way of dividend or otherwise shall be disturbed by reason of any subsequent proof by any creditor under the said paragraph (d).

## Change of debtor's address

**Rule 19.**—(1) A debtor who changes <sup>F330</sup>... residence shall forthwith inform the court of [<sup>F331</sup>their] new address.

(45) Section 113 was amended by the Administration of Justice Act 1985 (c. 61), section 67(2), schedule 8, Part II.



**Status:** Point in time view as at 01/10/2018.

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(2) Where the debtor becomes resident in the district of another court, the court in which the administration order is being conducted may transfer the proceedings to that other court.

**Textual Amendments**

**F330** Word in Sch. 2 CCR Order 39 rule 19(1) omitted (22.4.2014) by virtue of The Civil Procedure (Amendment No. 4) Rules 2014 (S.I. 2014/867), rules 1, **22(k)(i)** (with rule 25)

**F331** Word in Sch. 2 CCR Order 39 rule 19(1) substituted (22.4.2014) by The Civil Procedure (Amendment No. 4) Rules 2014 (S.I. 2014/867), rules 1, **22(k)(ii)** (with rule 25)

## CCR ORDER 42

### PROCEEDINGS BY AND AGAINST THE CROWN

#### Application and interpretation

<sup>F332</sup>**Rule 1** .....

**Textual Amendments**

**F332** Sch. 2 CCR Order 42 revoked (1.10.2005) by The Civil Procedure (Amendment No.3) Rules 2005 (S.I. 2005/2292), rules 1(c), **55(b)**

#### Particulars of claim in claim against the Crown

<sup>F332</sup>**Rule 4** .....

**Textual Amendments**

**F332** Sch. 2 CCR Order 42 revoked (1.10.2005) by The Civil Procedure (Amendment No.3) Rules 2005 (S.I. 2005/2292), rules 1(c), **55(b)**

#### Subsequent procedure in claim

<sup>F332</sup>**Rule 5** .....

**Textual Amendments**

**F332** Sch. 2 CCR Order 42 revoked (1.10.2005) by The Civil Procedure (Amendment No.3) Rules 2005 (S.I. 2005/2292), rules 1(c), **55(b)**

#### Subsequent procedure in fixed date claim

<sup>F332</sup>**Rule 6** .....

*Status: Point in time view as at 01/10/2018.  
Changes to legislation: There are currently no known outstanding effects  
for the The Civil Procedure Rules 1998. (See end of Document for details)*

**Textual Amendments**

**F332** Sch. 2 CCR Order 42 revoked (1.10.2005) by [The Civil Procedure \(Amendment No.3\) Rules 2005 \(S.I. 2005/2292\)](#), rules 1(c), **55(b)**

**Service on the Crown**

<sup>F332</sup>**Rule 7** .....

**Textual Amendments**

**F332** Sch. 2 CCR Order 42 revoked (1.10.2005) by [The Civil Procedure \(Amendment No.3\) Rules 2005 \(S.I. 2005/2292\)](#), rules 1(c), **55(b)**

**Special provisions regarding orders made by the Court of its own initiative against the Crown**

<sup>F332</sup>**Rule 8** .....

**Textual Amendments**

**F332** Sch. 2 CCR Order 42 revoked (1.10.2005) by [The Civil Procedure \(Amendment No.3\) Rules 2005 \(S.I. 2005/2292\)](#), rules 1(c), **55(b)**

**Counterclaim in proceedings by or against the Crown**

<sup>F332</sup>**Rule 9** .....

**Textual Amendments**

**F332** Sch. 2 CCR Order 42 revoked (1.10.2005) by [The Civil Procedure \(Amendment No.3\) Rules 2005 \(S.I. 2005/2292\)](#), rules 1(c), **55(b)**

**Adjustment of liability under judgment for taxes**

<sup>F332</sup>**Rule 10** .....

**Textual Amendments**

**F332** Sch. 2 CCR Order 42 revoked (1.10.2005) by [The Civil Procedure \(Amendment No.3\) Rules 2005 \(S.I. 2005/2292\)](#), rules 1(c), **55(b)**

**Part 20 claim against the Crown where the Crown is not already a party**

<sup>F332</sup>**Rule 11** .....

**Status:** Point in time view as at 01/10/2018.

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

**Textual Amendments**

**F332** Sch. 2 CCR Order 42 revoked (1.10.2005) by [The Civil Procedure \(Amendment No.3\) Rules 2005 \(S.I. 2005/2292\)](#), rules 1(c), **55(b)**

**Disclosure against the Crown**

**F332** **Rule 12** .....

**Textual Amendments**

**F332** Sch. 2 CCR Order 42 revoked (1.10.2005) by [The Civil Procedure \(Amendment No.3\) Rules 2005 \(S.I. 2005/2292\)](#), rules 1(c), **55(b)**

**Execution and satisfaction of orders against the Crown**

**F332** **Rule 13** .....

**Textual Amendments**

**F332** Sch. 2 CCR Order 42 revoked (1.10.2005) by [The Civil Procedure \(Amendment No.3\) Rules 2005 \(S.I. 2005/2292\)](#), rules 1(c), **55(b)**

**Attachment of debts etc.**

**F332** **Rule 14** .....

**Textual Amendments**

**F332** Sch. 2 CCR Order 42 revoked (1.10.2005) by [The Civil Procedure \(Amendment No.3\) Rules 2005 \(S.I. 2005/2292\)](#), rules 1(c), **55(b)**

**CCR ORDER 43**

**THE LANDLORD AND TENANT ACTS 1927, 1954, 1985 AND 1987**

**Interpretation**

**F333** **Rule 1** .....

**Textual Amendments**

**F333** Sch. 2 CCR Order 43 revoked (15.10.2001) by [The Civil Procedure \(Amendment\) Rules 2001 \(S.I. 2001/256\)](#), rule 1(d), **Sch. 3**

**Status:** Point in time view as at 01/10/2018.  
**Changes to legislation:** There are currently no known outstanding effects for the The Civil Procedure Rules 1998. (See end of Document for details)

## Commencement of proceedings and answer

### <sup>F333</sup>Rule 2 .....

#### Textual Amendments

**F333** Sch. 2 CCR Order 43 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

### <sup>F333</sup>Rule 3 .....

#### Textual Amendments

**F333** Sch. 2 CCR Order 43 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 the Act of 1927

### <sup>F333</sup>Rule 4 .....

#### Textual Amendments

**F333** Sch. 2 CCR Order 43 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 the Act of 1954

### <sup>F333</sup>Rule 5 .....

#### Textual Amendments

**F333** Sch. 2 CCR Order 43 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 the Act of 1954

### <sup>F333</sup>Rule 6 .....

#### Textual Amendments

**F333** Sch. 2 CCR Order 43 revoked (15.10.2001) by [The Civil Procedure \(Amendment\) Rules 2001 \(S.I. 2001/256\)](#), rule 1(d), [Sch. 3](#)

## Answer to application for new tenancy under section 24 of the Act of 1954

### <sup>F333</sup>Rule 7 .....

**Status:** Point in time view as at 01/10/2018.

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

**Textual Amendments**

**F333** Sch. 2 CCR Order 43 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**

**F333** **Rule 8** .....

**Textual Amendments**

**F333** Sch. 2 CCR Order 43 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 the Act of 1954**

**F333** **Rule 9** .....

**Textual Amendments**

**F333** Sch. 2 CCR Order 43 revoked (15.10.2001) by [The Civil Procedure \(Amendment\) Rules 2001 \(S.I. 2001/256\)](#), rule 1(d), **Sch. 3**

**Service of order in proceedings under Part II of the Act of 1954**

**F333** **Rule 10** .....

**Textual Amendments**

**F333** Sch. 2 CCR Order 43 revoked (15.10.2001) by [The Civil Procedure \(Amendment\) Rules 2001 \(S.I. 2001/256\)](#), rule 1(d), **Sch. 3**

**Proof of determination of rateable value**

**F333** **Rule 11** .....

**Textual Amendments**

**F333** Sch. 2 CCR Order 43 revoked (15.10.2001) by [The Civil Procedure \(Amendment\) Rules 2001 \(S.I. 2001/256\)](#), rule 1(d), **Sch. 3**

**Provisions as to assessors**

**F333** **Rule 13** .....

*Status: Point in time view as at 01/10/2018.  
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for the The Civil Procedure Rules 1998. (See end of Document for details)*

**Textual Amendments**

**F333** Sch. 2 CCR Order 43 revoked (15.10.2001) by [The Civil Procedure \(Amendment\) Rules 2001 \(S.I. 2001/256\)](#), rule 1(d), [Sch. 3](#)

**District judge’s jurisdiction**

**F333** **Rule 15** .....

**Textual Amendments**

**F333** Sch. 2 CCR Order 43 revoked (15.10.2001) by [The Civil Procedure \(Amendment\) Rules 2001 \(S.I. 2001/256\)](#), rule 1(d), [Sch. 3](#)

**Application under section 12 (2) of the Act of 1985**

**F333** **Rule 16** .....

**Textual Amendments**

**F333** Sch. 2 CCR Order 43 revoked (15.10.2001) by [The Civil Procedure \(Amendment\) Rules 2001 \(S.I. 2001/256\)](#), rule 1(d), [Sch. 3](#)

**Transfer to leasehold valuation tribunal**

**F333** **Rule 16A** .....

**Textual Amendments**

**F333** Sch. 2 CCR Order 43 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**

**F333** **Rule 17** .....

**Textual Amendments**

**F333** Sch. 2 CCR Order 43 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**

**F333** **Rule 18** .....

**Status:** Point in time view as at 01/10/2018.

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

**Textual Amendments**

**F333** Sch. 2 CCR Order 43 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**

**F333** **Rule 19** .....

**Textual Amendments**

**F333** Sch. 2 CCR Order 43 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**

**F333** **Rule 20** .....

**Textual Amendments**

**F333** Sch. 2 CCR Order 43 revoked (15.10.2001) by [The Civil Procedure \(Amendment\) Rules 2001 \(S.I. 2001/256\)](#), rule 1(d), **Sch. 3**

**Service of documents in proceedings under the Act of 1987**

**F333** **Rule 21** .....

**Textual Amendments**

**F333** Sch. 2 CCR Order 43 revoked (15.10.2001) by [The Civil Procedure \(Amendment\) Rules 2001 \(S.I. 2001/256\)](#), rule 1(d), **Sch. 3**

**Tenants' associations**

**F333** **Rule 22** .....

**Textual Amendments**

**F333** Sch. 2 CCR Order 43 revoked (15.10.2001) by [The Civil Procedure \(Amendment\) Rules 2001 \(S.I. 2001/256\)](#), rule 1(d), **Sch. 3**

*Status: Point in time view as at 01/10/2018.  
Changes to legislation: There are currently no known outstanding effects  
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## CCR ORDER 44

### THE AGRICULTURAL HOLDINGS ACT 1986

#### Order to arbitrator to state case

<sup>F334</sup>**Rule 1** .....

##### Textual Amendments

**F334** Sch. 2 CCR Order 44 rules 1-3 revoked (19.10.2006) by [The Regulatory Reform \(Agricultural Tenancies\) \(England and Wales\) Order 2006 \(S.I. 2006/2805\)](#), art. 1(1)(b), **Sch. 3** (with art. 10)

#### Special case stated by arbitrator

<sup>F334</sup>**Rule 2** .....

##### Textual Amendments

**F334** Sch. 2 CCR Order 44 rules 1-3 revoked (19.10.2006) by [The Regulatory Reform \(Agricultural Tenancies\) \(England and Wales\) Order 2006 \(S.I. 2006/2805\)](#), art. 1(1)(b), **Sch. 3** (with art. 10)

#### Removal of arbitrator or setting aside award

<sup>F334</sup>**Rule 3** .....

##### Textual Amendments

**F334** Sch. 2 CCR Order 44 rules 1-3 revoked (19.10.2006) by [The Regulatory Reform \(Agricultural Tenancies\) \(England and Wales\) Order 2006 \(S.I. 2006/2805\)](#), art. 1(1)(b), **Sch. 3** (with art. 10)

#### Enforcement of order imposing penalty

**Rule 4.**—(1) When taking any proceedings for the enforcement in [<sup>F335</sup>the County Court] of an order under section 27 of the Agricultural Holdings Act 1986, the party in whose favour the order was made shall file—

- (a) a certified copy of the order; and
- (b) a certificate specifying the amount due under the order and stating whether any previous proceedings have been taken for its enforcement and, if so, the nature of the proceedings and their result.

(2) Where it is desired to enforce the order by warrant of [<sup>F336</sup>control], the proceedings may be taken in [<sup>F337</sup>the County Court hearing centre serving the address where] execution is to be levied.

##### Textual Amendments

**F335** Words in Sch. 2 CCR Order 44 substituted (22.4.2014) by [The Civil Procedure \(Amendment No. 4\) Rules 2014 \(S.I. 2014/867\)](#), rules 1, **rule 3(a)(i)** (with rule 25)

**F336** Word in Sch. 2 CCR Order 44 rule 4(2) substituted (22.4.2014) by [The Civil Procedure \(Amendment No. 4\) Rules 2014 \(S.I. 2014/867\)](#), rules 1, **23(a)** (with rule 25)



**Status:** Point in time view as at 01/10/2018.

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

**F337** Words in [Sch. 2 CCR Order 44 rule 4\(2\)](#) substituted (22.4.2014) by [The Civil Procedure \(Amendment No. 4\) Rules 2014 \(S.I. 2014/867\)](#), rules 1, **23(b)** (with rule 25)

## CCR ORDER 45

### THE REPRESENTATION OF THE PEOPLE ACT 1983

#### Application for detailed assessment of returning officer's account

**F338F339** **Rule 1** .....

##### Textual Amendments

**F338** Sch. 2 CCR Order 45 revoked (1.10.2007) by [The Civil Procedure \(Amendment\) Rules 2007 \(S.I. 2007/2204\)](#), rules 1, **20(d)**

**F339** Sch. 2 CCR Order 45 rule 1 revoked (6.4.2007) by [The Civil Procedure \(Amendment No.3\) Rules 2006 \(S.I. 2006/3435\)](#), rules 1, **15(f)**

#### Appeal from decision of registration officer

**Rule 2** <sup>F338</sup> .....

##### Textual Amendments

**F338** Sch. 2 CCR Order 45 revoked (1.10.2007) by [The Civil Procedure \(Amendment\) Rules 2007 \(S.I. 2007/2204\)](#), rules 1, **20(d)**

#### Selected appeals

<sup>F338</sup> **Rule 3** .....

##### Textual Amendments

**F338** Sch. 2 CCR Order 45 revoked (1.10.2007) by [The Civil Procedure \(Amendment\) Rules 2007 \(S.I. 2007/2204\)](#), rules 1, **20(d)**

## <sup>F340</sup>CCR ORDER 46

### THE LEGITIMACY ACT 1976

##### Textual Amendments

**F340** Sch. 2 CCR Order 46 revoked (6.4.2007) by [The Civil Procedure \(Amendment No.3\) Rules 2006 \(S.I. 2006/3435\)](#), rules 1, **15(g)**

*Status: Point in time view as at 01/10/2018.  
Changes to legislation: There are currently no known outstanding effects  
for the The Civil Procedure Rules 1998. (See end of Document for details)*

**Manner of application**

<sup>F340</sup>**Rule 1** .....

**Preliminary consideration and service**

<sup>F340</sup>**Rule 2** .....

**Answer**

<sup>F340</sup>**Rule 3** .....

<sup>F341</sup>**CCR ORDER 47**

**DOMESTIC AND MATRIMONIAL PROCEEDINGS**

.....

**Textual Amendments**

**F341** Sch. 2 CCR Order 47 revoked (2.10.2006) by [The Civil Procedure \(Amendment\) Rules 2006 \(S.I. 2006/1689\)](#), rules 1, **12(f)**

**Family Law Reform Act 1969**

<sup>F341</sup>**Rule 5** .....

<sup>F342</sup>**CCR ORDER 48B**

[<sup>F343</sup>Enforcement of traffic penalties]

.....

**Textual Amendments**

**F342** Sch. 2 CCR Order 48B revoked (1.10.2002) by [The Civil Procedure \(Amendment\) Rules 2002 \(S.I. 2002/2058\)](#), rules 1(a), **35**

**F343** Sch. 2 CCR Order 48B heading substituted (1.6.2001) by [The Civil Procedure \(Amendment No. 2\) Rules 2001 \(S.I. 2001/1388\)](#), rules 1(a), **17(a)**

**Application and interpretation**

<sup>F342</sup>**Rule 1** .....

**Establishment of the [<sup>F344</sup>traffic enforcement centre]**

<sup>F342</sup>**Rule 1A** .....

.....

**Textual Amendments**

**F344** Words in Sch. 2 CCR Order 48B substituted (1.6.2001) by [The Civil Procedure \(Amendment No. 2\) Rules 2001 \(S.I. 2001/1388\)](#), rules 1(a), **17(b)**

**Requests for orders**

<sup>F342</sup>**Rule 2** .....

**Documents**

<sup>F342</sup>**Rule 3** .....

**Functions of court officer**

<sup>F342</sup>**Rule 4** .....

**Enforcement of orders**

<sup>F342</sup>**Rule 5** .....

**CCR ORDER 48D**

**ENFORCEMENT OF FIXED PENALTIES UNDER THE ROAD TRAFFIC  
(VEHICLE EMISSIONS) (FIXED PENALTY) REGULATIONS 1997**

**Application and interpretation**

<sup>F345</sup>**1.** .....

**Textual Amendments**

**F345** Sch. 2 CCR Order 48D revoked (6.10.2003) by [The Civil Procedure \(Amendment No. 4\) Rules 2003 \(S.I. 2003/2113\)](#), rules 1(c), **19(c)**

**The traffic enforcement centre**

<sup>F345</sup>**2.** .....

**Textual Amendments**

**F345** Sch. 2 CCR Order 48D revoked (6.10.2003) by [The Civil Procedure \(Amendment No. 4\) Rules 2003 \(S.I. 2003/2113\)](#), rules 1(c), **19(c)**

**Requests for Orders and Warrants of Execution**

<sup>F345</sup>**3.** .....

**Textual Amendments**

**F345** Sch. 2 CCR Order 48D revoked (6.10.2003) by [The Civil Procedure \(Amendment No. 4\) Rules 2003 \(S.I. 2003/2113\)](#), rules 1(c), **19(c)**

**Status:** Point in time view as at 01/10/2018.  
**Changes to legislation:** There are currently no known outstanding effects for the The Civil Procedure Rules 1998. (See end of Document for details)

**Documents**

F345 **4.** .....

**Textual Amendments**

**F345** Sch. 2 CCR Order 48D revoked (6.10.2003) by [The Civil Procedure \(Amendment No. 4\) Rules 2003](#) (S.I. 2003/2113), rules 1(c), **19(c)**

**Enforcement of Orders**

F345 **5.** .....

**Textual Amendments**

**F345** Sch. 2 CCR Order 48D revoked (6.10.2003) by [The Civil Procedure \(Amendment No. 4\) Rules 2003](#) (S.I. 2003/2113), rules 1(c), **19(c)**

**CCR ORDER 49**

**MISCELLANEOUS STATUTES**

**Access to Neighbouring Land Act 1992(46)**

F346 **Rule 1** .....

**Textual Amendments**

**F346** Sch. 2 CCR Order 49 rule 1 revoked (15.10.2001) by [The Civil Procedure \(Amendment\) Rules 2001](#) (S.I. 2001/256), rule 1(d), **Sch. 3**

**Administration of Justice Act 1970(47)**

F347 **Rule 1A** .....

**Textual Amendments**

**F347** Sch. 2 CCR Order 49 rule 1A revoked (15.10.2001) by [The Civil Procedure \(Amendment\) Rules 2001](#) (S.I. 2001/256), rule 1(d), **Sch. 3**

**Chancel Repairs Act 1932(48)**

F348 **Rule 2** .....

(46) 1992 c. 23.  
(47) 1970 c. 31.  
(48) 1932 c. 20.

**Status:** Point in time view as at 01/10/2018.

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

**Textual Amendments**

**F348** Sch. 2 CCR Order 49 rule 2 revoked (15.10.2001) by [The Civil Procedure \(Amendment\) Rules 2001 \(S.I. 2001/256\)](#), rule 1(d), **Sch. 3**

**Consumer Credit Act 1974(49)**

<sup>F349</sup>**Rule 4** .....

**Textual Amendments**

**F349** Sch. 2 CCR Order 49 rule 4 revoked (15.10.2001) by [The Civil Procedure \(Amendment\) Rules 2001 \(S.I. 2001/256\)](#), rule 1(d), **Sch. 3**

**Applications under section 114, 204 and 231 of the Copyright, Designs and Patents Act 1988**

<sup>F350</sup>**Rule 4A** .....

**Textual Amendments**

**F350** Sch. 2 CCR Order 49 rule 4A revoked (6.10.2003) by [The Civil Procedure \(Amendment No. 4\) Rules 2003 \(S.I. 2003/2113\)](#), rules 1(c), **19(d)**

**Fair Trading Act 1973**

<sup>F351</sup>**Rule 5** .....

**Textual Amendments**

**F351** Sch. 2 CCR Order 49 rule 5 revoked (6.10.2003) by [The Civil Procedure \(Amendment No. 4\) Rules 2003 \(S.I. 2003/2113\)](#), rules 1(c), **19(d)**

**Housing Act 1988: assured tenancies**

<sup>F352</sup>**Rule 6** .....

**Textual Amendments**

**F352** Sch. 2 CCR Order 49 rule 6 revoked (2.10.2000) by [The Civil Procedure \(Amendment No. 4\) Rules 2000 \(S.I. 2000/2092\)](#), rules 1, **27**

**Housing Act 1988: assured shorthold tenancies**

<sup>F353</sup>**Rule 6A** .....

*Status: Point in time view as at 01/10/2018.  
Changes to legislation: There are currently no known outstanding effects  
for the The Civil Procedure Rules 1998. (See end of Document for details)*

**Textual Amendments**

**F353** Sch. 2 CCR Order 49 rule 6A revoked (15.10.2001) by [The Civil Procedure \(Amendment\) Rules 2001 \(S.I. 2001/256\)](#), rule 1(d), **Sch. 3**

**Housing Act 1996: injunctions** <sup>F354</sup> ...

<sup>F355</sup>**Rule 6B** .....

**Textual Amendments**

**F354** Words in Sch. 2 CCR Order 49 rule 6B heading omitted (15.10.2001) by [The Civil Procedure \(Amendment No. 4\) Rules 2001 \(S.I. 2001/2792\)](#), rules 1(b), **23(a)** (with rule 24)

**F355** Sch. 2 CCR Order 49 rule 6B revoked (30.6.2004) by [The Civil Procedure \(Amendment\) Rules 2004 \(S.I. 2004/1306\)](#), rules 1(b), **21(d)** (with rule 20(2)(b))

**Injunctions to prevent environmental harm: Town and Country Planning Act 1990 etc.**

<sup>F356</sup>**Rule 7** .....

**Textual Amendments**

**F356** Sch. 2 CCR Order 49 rule 7 revoked (6.4.2007) by [The Civil Procedure \(Amendment No.3\) Rules 2006 \(S.I. 2006/3435\)](#), rules 1, **15(h)**

**Leasehold Reform Act 1967(50)**

<sup>F357</sup>**Rule 8** .....

**Textual Amendments**

**F357** Sch. 2 CCR Order 49 rule 8 revoked (15.10.2001) by [The Civil Procedure \(Amendment\) Rules 2001 \(S.I. 2001/256\)](#), rule 1(d), **Sch. 3**

**Leasehold Reform, Housing and Urban Development Act 1993(51)**

<sup>F358</sup>**Rule 9** .....

**Textual Amendments**

**F358** Sch. 2 CCR Order 49 rule 9 revoked (15.10.2001) by [The Civil Procedure \(Amendment\) Rules 2001 \(S.I. 2001/256\)](#), rule 1(d), **Sch. 3**

- (50) **1967 c. 88**; section 11 was amended by the [Rentcharges Act 1977 \(c. \)](#), section 17(2), schedule 2. Section 21 was amended by the [Housing Act 1980 \(c. 51\)](#), sections 142, 152, schedule 22, Part II, paragraph 8, schedule 26; by the [County Courts Act 1984 \(c. 28\)](#), section 148(1), schedule 2, Part V, paragraph 31; by the [Leasehold Reform, Housing and Urban Development Act 1993 \(c. 28\)](#), section 187(1), schedule 21, paragraph 4; and by the [Housing Act 1996 \(c. 52\)](#), sections 115, 116, schedule 11, paragraph 1(2).
- (51) **1993 c. 28**; section 26 was amended by the [Housing Act 1996 \(c. 52\)](#).

**Status:** Point in time view as at 01/10/2018.

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

## Local Government Finance Act 1982(52)

### <sup>F359</sup>Rule 10 .....

#### Textual Amendments

**F359** Sch. 2 CCR Order 49 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)

## Local Government (Miscellaneous Provisions) Act 1976(53)

### <sup>F360</sup>Rule 11 .....

#### Textual Amendments

**F360** Sch. 2 CCR Order 49 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)

## Mental Health Act 1983(54)

### <sup>F361</sup>Rule 12 .....

#### Textual Amendments

**F361** Sch. 2 CCR Order 49 rule 12 revoked (6.4.2007) by [The Civil Procedure \(Amendment No.3\) Rules 2006 \(S.I. 2006/3435\)](#), rules 1, **15(h)**

## Mobile Homes Act 1983(55)

### <sup>F362</sup>Rule 13 .....

#### Textual Amendments

**F362** Sch. 2 CCR Order 49 rule 13 revoked (15.10.2001) by [The Civil Procedure \(Amendment\) Rules 2001 \(S.I. 2001/256\)](#), rule 1(d), **Sch. 3**

## [<sup>F363</sup>Postal Services Act 2000]

### <sup>F364</sup>Rule 15 .....

- (52) [1982 c. 32](#); sections 19 and 20 were amended by the National Health Service and Community Care Act [1990 \(c. 19\)](#), section 20, schedule 4, paragraphs 9 and 10; by the Education Reform Act [1988 \(c. 40\)](#), section 237(2), schedule 13, Part I; by the Police and Magistrates' Courts Act [1994 \(c. 29\)](#), section 43, schedule 4, Part I, paragraphs 26 and 27; by the Police Act [1996 \(c. 16\)](#), section 103(1), schedule 7, Part 1, paragraph 1, and by the Police Act [1997 \(c. 50\)](#), section 88, schedule 6, paragraphs 19 and 21; and by [S.I. 1991/724](#) and [1996/3141](#).
- (53) [1976 c. 57](#); section 23 was amended by [S.I. 1996/3071](#). Section 35 was amended by the Local Government Act [1985 \(c. 51\)](#), section 102(2), schedule 17 and by [S.I. 1996/3071](#).
- (54) [1983 c. 20](#); section 145(1) was amended by the Health Authorities Act [1995 \(c. 17\)](#), section 2(1), schedule 1, Part III, paragraph 107; by the National Health Service and Community Care Act [1990 \(c. 19\)](#), section 66(1), schedule 9, paragraph 24(9); and by the Mental Health (Amendment) Act [1994 \(c. 6\)](#), section 1.
- (55) [1983 c. 34](#).

*Status: Point in time view as at 01/10/2018.  
Changes to legislation: There are currently no known outstanding effects  
for the The Civil Procedure Rules 1998. (See end of Document for details)*

**Textual Amendments**

- F363** Sch. 2 CCR Order 49 rule 15 heading substituted (26.3.2001) by [The Postal Services Act 2000 \(Consequential Modifications No. 1\) Order 2001 \(S.I. 2001/1149\)](#), art. 1(2), **Sch. 1 para. 123(3)(a)**
- F364** Sch. 2 CCR Order 49 rule 15 revoked (1.10.2005) by [The Civil Procedure \(Amendment No.3\) Rules 2005 \(S.I. 2005/2292\)](#), rules 1(c), **55(c)**

**Rentcharges Act 1977(56)**

<sup>F365</sup>**Rule 16** .....

**Textual Amendments**

- F365** Sch. 2 CCR Order 49 rule 16 revoked (15.10.2001) by [The Civil Procedure \(Amendment\) Rules 2001 \(S.I. 2001/256\)](#), rule 1(d), **Sch. 3**

**[<sup>F366</sup>Sex Discrimination Act 1975, Race Relations Act 1976, Disability Discrimination Act 1995 and Disability Rights Commission Act 1999]**

<sup>F367</sup>**Rule 17** .....

**Textual Amendments**

- F366** Sch. 2 CCR Order 49 rule 17 heading substituted (3.7.2000) by [The Civil Procedure \(Amendment No. 3\) Rules 2000 \(S.I. 2000/1317\)](#), rules 1, **38(a)** (with rule 39)
- F367** Sch. 2 CCR Order 49 rule 17 revoked (2.10.2006) by [The Civil Procedure \(Amendment\) Rules 2006 \(S.I. 2006/1689\)](#), rules 1, **12(g)**

**Solicitors Act 1974(57)**

<sup>F368</sup>**Rule 18** .....

**Textual Amendments**

- F368** Sch. 2 CCR Order 49 rule 18 omitted (26.4.1999) by virtue of [The Civil Procedure \(Amendment\) Rules 1999 \(S.I. 1999/1008\)](#), rules 1, **73(f)**

**[<sup>F369</sup>Communications Act 2003]**

**Rule 18A.**—(1) CPR Rule 35.15 applies to proceedings under [<sup>F370</sup>Part 4 of Schedule 3A to the Communications Act 2003].

(56) 1977 c. 30.  
(57) 1974 c. 47.



**Status:** Point in time view as at 01/10/2018.

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

**Textual Amendments**

- F369** Sch. 2 CCR Order 49 rule 18A heading substituted (28.12.2017) by [The Communications Act 2003 and the Digital Economy Act 2017 \(Consequential Amendments to Secondary Legislation\) Regulations 2017](#) (S.I. 2017/1011), reg. 1(1), **Sch. 4 para. 19(2)(a)**
- F370** Words in Sch. 2 CCR Order 49 rule 18A(1) substituted (28.12.2017) by [The Communications Act 2003 and the Digital Economy Act 2017 \(Consequential Amendments to Secondary Legislation\) Regulations 2017](#) (S.I. 2017/1011), reg. 1(1), **Sch. 4 para. 19(2)(b)**

**Applications under section 19 of the Trade Marks Act 1994**

<sup>F371</sup>**Rule 18B** .....

**Textual Amendments**

- F371** Sch. 2 CCR Order 49 rule 18B revoked (6.10.2003) by [The Civil Procedure \(Amendment No. 4\) Rules 2003](#) (S.I. 2003/2113), rules 1(c), **19(d)**

**Trade Union and Labour Relations Consolidation Act 1992(58)**

**Rule 19.**—(1) Where a complainant desires to have an order of the Certification Officer under section 82 of the Trade Union and Labour Relations Consolidation Act 1992 recorded in the [<sup>F372</sup>County Court], [<sup>F373</sup>the complainant] shall produce the order and a copy thereof to the [<sup>F374</sup>County Court hearing centre which serves the address where the complainant] resides or the head or main office of the trade union is situate.

(2) The order shall be recorded by filing it, and the copy shall be sealed and dated and returned to the complainant.

(3) The sealed copy shall be treated as if it were the notice of issue in a claim begun by the complainant.

(4) The costs, if any, allowed for recording the order shall be recoverable as if they were payable under the order.

(5) The order shall not be enforced until proof is given to the satisfaction of the court that the order has not been obeyed and, if the order is for payment of money, of the amount remaining unpaid.

**Textual Amendments**

- F372** Words in Sch. 2 CCR Order 49 substituted (22.4.2014) by [The Civil Procedure \(Amendment No. 4\) Rules 2014](#) (S.I. 2014/867), rules 1, **3(a)(ii)** (with rule 25)
- F373** Words in Sch. 2 CCR Order 49 rule 19(1) substituted (22.4.2014) by [The Civil Procedure \(Amendment No. 4\) Rules 2014](#) (S.I. 2014/867), rules 1, **24(a)** (with rule 25)
- F374** Words in Sch. 2 CCR Order 49 rule 19(1) substituted (22.4.2014) by [The Civil Procedure \(Amendment No. 4\) Rules 2014](#) (S.I. 2014/867), rules 1, **24(b)** (with rule 25)

**Trustee Act 1925, s.63(59)**

<sup>F375</sup>**Rule 20** .....

(58) [1992 c. 52.](#)

(59) [1925 c. 19](#); section 63 was amended by the [Administration of Justice Act 1965 \(c. 2\)](#), section 36(4), schedule 3.

**Status:** Point in time view as at 01/10/2018.

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

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**Textual Amendments**

**F375** [Sch. 2](#) CCR Order 49 rule 20 revoked (2.12.2002) by [The Civil Procedure \(Amendment\) Rules 2002](#) (S.I. 2002/2058), rule 1(b), **Sch. 10**

**Status:**

Point in time view as at 01/10/2018.

**Changes to legislation:**

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