

SCHEDULE 1

Rule 50(3)

Modifications etc. (not altering text)

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

Commencement Information

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

RSC ORDER 10

SERVICE OF ORIGINATING PROCESS: GENERAL PROVISIONS

Service of claim form in certain actions for possession of land

^{F1}Rule 4

Textual Amendments

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

^{F2}RSC ORDER 11

SERVICE OF PROCESS, ETC., OUT OF THE JURISDICTION

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](#))

^{F3}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**

Status: Point in time view as at 06/04/2023.

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

^{F4}RSC ORDER 17

INTERPLEADER

.....

Textual Amendments

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

^{F5}RSC ORDER 23

SECURITY FOR COSTS

.....

Textual Amendments

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

^{F6}RSC ORDER 30

RECEIVERS

.....

Textual Amendments

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

^{F7}RSC ORDER 31

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

.....

Textual Amendments

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

^{F8}RSC ORDER 44

PROCEEDINGS UNDER JUDGMENTS AND ORDERS: CHANCERY DIVISION

Textual Amendments

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

Application to Orders

^{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

*Status: Point in time view as at 06/04/2023.
Changes to legislation: There are currently no known outstanding effects
for the The Civil Procedure Rules 1998. (See end of Document for details)*

Appeal against Master’s order

^{F8}Rule 12

^{F9}RSC ORDER 45

ENFORCEMENT OF JUDGMENTS AND ORDERS: GENERAL

Textual Amendments

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

Interpretation

^{F9}Rule 1A.

Enforcement of judgment, etc., for payment of money

^{F9}Rule 1

Notice of seizure

^{F9}Rule 2

Enforcement of judgment for possession of land

^{F9}Rule 3

Enforcement of judgment for delivery of goods

^{F9}Rule 4

Enforcement of judgment to do or abstain from doing any act

^{F9}Rule 5

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

^{F9}Rule 6

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

^{F9}Rule 7

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

^{F9}Rule 8

Execution by or against person not being a party

^{F9}**Rule 9**

Conditional judgment: waiver

^{F9}**Rule 10**

Matters occurring after judgment: stay of execution, etc.

^{F9}**Rule 11**

Forms of writs

^{F9}**Rule 12**

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

^{F9}**Rule 13**

Enforcement of decisions of Value Added Tax Tribunals

^{F9}**Rule 14**

^{F10}**RSC ORDER 46**

WRITS OF EXECUTION: GENERAL

Textual Amendments

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

Definition

^{F10}**Rule 1**

When permission to issue any writ of execution is necessary

^{F10}**Rule 2**

Permission required for issue of writ in aid of other writ

^{F10}**Rule 3**

Application for permission to issue writ

^{F10}**Rule 4**

*Status: Point in time view as at 06/04/2023.
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 permission to issue writ of sequestration

^{F10}**Rule 5**

Issue of writ of execution

^{F10}**Rule 6**

Duration and renewal of writ of execution

^{F10}**Rule 8**

Return to writ of execution

^{F10}**Rule 9**

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

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

Power to stay execution by writ of fieri facias

^{F11}**Rule 1**

Two or more writs of fieri facias

^{F11}**Rule 2**

Separate writs to enforce payment of costs, etc.

^{F11}**Rule 3**

No expenses of execution in certain cases

^{F11}**Rule 4**

Writ of fieri facias de bonis ecclesiasticis, etc.

^{F11}**Rule 5**

Order for sale otherwise than by auction

^{F11}**Rule 6**

RSC ORDER 48

EXAMINATION OF JUDGMENT DEBTOR, ETC.

Order for examination of judgment debtor

^{F12}Rule 1

Textual Amendments

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

Examination of party liable to satisfy other judgment

^{F12}Rule 2

Textual Amendments

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

Examiner to make record of debtor's statement

^{F12}Rule 3

Textual Amendments

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

RSC ORDER 49

GARNISHEE PROCEEDINGS

Attachment of debt due to judgment debtor

^{F13}Rule 1

Textual Amendments

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

Application for order

^{F13}Rule 2

Status: Point in time view as at 06/04/2023.
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

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

Service and effect of order to show cause

^{F13}**Rule 3**

Textual Amendments

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

No appearance or dispute of liability by garnishee

^{F13}**Rule 4**

Textual Amendments

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

Dispute of liability by garnishee

^{F13}**Rule 5**

Textual Amendments

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

Claims of third persons

^{F13}**Rule 6**

Textual Amendments

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

Discharge of garnishee

^{F13}**Rule 8**

Status: Point in time view as at 06/04/2023.

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

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

Money in Court

F13 **Rule 9**

Textual Amendments

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

Costs

F13 **Rule 10**

Textual Amendments

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

RSC ORDER 50

CHARGING ORDERS, STOP ORDERS, ETC.

Order imposing a charge on a beneficial interest

F14 **Rule 1**

Textual Amendments

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

Service of notice of order to show cause

F14 **Rule 2**

Textual Amendments

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

Status: Point in time view as at 06/04/2023.
Changes to legislation: There are currently no known outstanding effects for the The Civil Procedure Rules 1998. (See end of Document for details)

Order made on further considerations

^{F14}**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

^{F14}**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

^{F14}**Rule 5**

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

Effect of order in relation to funds in Court

^{F14}**Rule 6**

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

Discharge, etc., of charging order

^{F14}**Rule 7**

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

Jurisdiction of Master, etc., to grant injunction

^{F14}**Rule 9**

Textual Amendments

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

Enforcement of charging order by sale

F14 **Rule 9A**

Textual Amendments

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

Funds in Court: stop order

F14 **Rule 10**

Textual Amendments

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

Securities not in Court: stop notice

F14 **Rule 11**

Textual Amendments

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

Effect of stop notice

F14 **Rule 12**

Textual Amendments

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

Amendment of stop notice

F14 **Rule 13**

Status: Point in time view as at 06/04/2023.
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

^{F16}**Rule 1**

Textual Amendments

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

Application to Divisional Court

^{F16}**Rule 2**

Textual Amendments

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

Application for order after leave to apply granted

^{F16}**Rule 3**

Textual Amendments

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

Application to Court other than Divisional Court

^{F16}**Rule 4**

Textual Amendments

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

Saving for power to commit without application for purpose

^{F16}**Rule 5**

Textual Amendments

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

Status: Point in time view as at 06/04/2023.
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

^{F16}**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

^{F16}**Rule 7**

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

Warrant for arrest

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

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

Discharge of person committed

Rule 8 ^{F16}

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

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

Saving for other powers

^{F16}**Rule 9**

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

^{F17}RSC ORDER 53 APPLICATIONS FOR JUDICIAL REVIEW

Textual Amendments

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

Cases appropriate for application for judicial review

Rule 1 ^{F17}

Joinder of claims for relief

Rule 2 ^{F17}

Grant of leave to apply for judicial review

Rule 3 ^{F17}

Delay in applying for relief

Rule 4 ^{F17}

Mode of applying for judicial review

Rule 5 ^{F17}

Statements and evidence

Rule 6 ^{F17}

Claim for damages

Rule 7 ^{F17}

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

Rule 8 ^{F17}

Hearing of application for judicial review

Rule 9 ^{F17}

Saving for person acting in obedience to mandamus

Rule 10 ^{F17}

Proceedings for disqualification of member of local authority

Rule 11 ^{F17}

Status: Point in time view as at 06/04/2023.
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 ^{F17}

Appeal from Judge’s order

Rule 13 ^{F17}

Meaning of “Court”

Rule 14 ^{F17}

F18RSC 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

F19Rule 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

F19Rule 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

F19Rule 3

Textual Amendments

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

Service of notice of appeal and entry of appeal

F19 **Rule 4**

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 06/04/2023.
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)

Appeal from Magistrates' Court by case stated

^{F20}**Rule 5**

Textual Amendments

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

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

^{F20}**Rule 6**

Textual Amendments

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

Case stated by Ministers, tribunal, etc.

^{F20}**Rule 7**

Textual Amendments

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

Application for order to state a case

^{F20}**Rule 8**

Textual Amendments

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

Signing and service of case

^{F20}**Rule 9**

Textual Amendments

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

Proceedings for determination of case

^{F20}**Rule 10**

Status: Point in time view as at 06/04/2023.
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 ^{F21}

Entry of claims

Rule 2 ^{F21}

Issue, etc., of claim form

Rule 3 ^{F21}

Filing of witness statement or affidavits and drawing up of orders

Rule 4 ^{F21}

Issue of writs

Rule 5 ^{F21}

Custody of records

Rule 6 ^{F21}

RSC ORDER 58

APPEALS FROM MASTERS, REGISTRARS, REFEREES AND JUDGES

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

^{F22}**Rule 1**

.....
Textual Amendments

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

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

^{F22}**Rule 2**

*Status: Point in time view as at 06/04/2023.
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

^{F22}**Rule 3**

Textual Amendments

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

Appeals from Judge of the Technology and Construction Court

^{F22}**Rule 4**

Textual Amendments

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

RSC ORDER 59

APPEALS TO THE COURT OF APPEAL

Application of Order to appeals

^{F23}**Rule 1**

Textual Amendments

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

Classes of case where permission to appeal is required

^{F23}**Rule 1B**

Textual Amendments

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

Application of Order to applications for new trial

^{F23}Rule 2

Textual Amendments

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

Interpretation

^{F23}Rule 2A

Textual Amendments

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

General Provisions as to Appeals

Who may exercise the powers of the Court of Appeal

^{F23}Rule 2B

Textual Amendments

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

Variation of time

^{F23}Rule 2C

Textual Amendments

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

Notice of appeal

^{F23}Rule 3

Textual Amendments

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

Status: Point in time view as at 06/04/2023.
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

^{F23}**Rule 4**

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

Setting down appeal

^{F23}**Rule 5**

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

Respondent’s notice

^{F23}**Rule 6**

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

Amendment of notice of appeal and respondent’s notice

^{F23}**Rule 7**

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

Directions of the Court as to service

^{F23}**Rule 8**

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

Documents to be filed by appellant

^{F23}**Rule 9**

Status: Point in time view as at 06/04/2023.

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 06/04/2023.
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 06/04/2023.

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 06/04/2023.
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

^{F23}**Rule 24**

Textual Amendments

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

Appeals from Special Commissioners

^{F23}**Rule 25**

Textual Amendments

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

RSC ORDER 60

**APPEALS TO COURT OF APPEAL FROM
THE RESTRICTIVE PRACTICES COURT**

Appeal to be brought by notice of appeal

^{F24}**Rule 1**

Textual Amendments

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

Service of notice of appeal

^{F24}**Rule 2**

Textual Amendments

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

Status: Point in time view as at 06/04/2023.

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

^{F24}**Rule 3**

Textual Amendments

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

Powers of Court of Appeal

^{F24}**Rule 4**

Textual Amendments

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

RSC ORDER 61

APPEALS FROM TRIBUNALS TO COURT OF APPEAL BY CASE STATED

Statement of case by Lands Tribunal

^{F25}**Rule 1**

Textual Amendments

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

Statement of case by other tribunals

^{F25}**Rule 2**

Textual Amendments

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

Proceedings on case stated

^{F25}**Rule 3**

Textual Amendments

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

*Status: Point in time view as at 06/04/2023.
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)

F²⁸RSC ORDER 51
RECEIVERS: EQUITABLE EXECUTION

Textual Amendments

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

Order to apply to High Court and County Courts

F²⁸ Rule A1

Appointment of receiver by way of equitable execution

F²⁸ Rule 1

Masters etc. may appoint receiver

F²⁸ Rule 2

Application of rules as to appointment of receiver, etc.

F²⁸ Rule 3

F²⁹RSC ORDER 70

Application of rules as to appointment of receiver, etc.

Textual Amendments

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

Interpretation and exercise of jurisdiction

F²⁹ Rule 1

Application for order

F²⁹ Rule 2

Application by Treasury Solicitor in certain cases

F²⁹ Rule 3.

Person to take and manner of taking examination

F²⁹ Rule 4

Status: Point in time view as at 06/04/2023.
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

^{F29}**Rule 5**

Claim to privilege

^{F29}**Rule 6**

^{F30}**RSC ORDER 71**

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

Textual Amendments

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

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

Powers under relevant Acts exercisable by judge or master

^{F30}**Rule 1**

Application for registration

^{F30}**Rule 2**

Evidence in support of application

^{F30}**Rule 3**

Security for costs

^{F30}**Rule 4**

Order for registration

^{F30}**Rule 5**

Register of judgments

^{F30}**Rule 6**

Notice of registration

^{F30}**Rule 7**

Application to set aside registration

^{F30}**Rule 9**

Issue of execution

^{F30}**Rule 10**

Determination of certain questions

^{F30}**Rule 11**

Rules to have effect subject to Orders in Council

^{F30}**Rule 12**

Certified copy of High Court judgment

^{F30}**Rule 13**

II. Enforcement of European Community Judgments

Interpretation

^{F30}**Rule 15**

Functions under Order in Council exercisable by judge or master

^{F30}**Rule 16**

Application for registration of Community judgment, etc.

^{F30}**Rule 17**

Evidence in support of application

^{F30}**Rule 18**

Register of judgments and orders

^{F30}**Rule 19**

Notice of registration

^{F30}**Rule 20**

Issue of execution

^{F30}**Rule 21**

Application to vary or cancel registration

^{F30}**Rule 22**

*Status: Point in time view as at 06/04/2023.
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

^{F30}**Rule 23**

Application for enforcement of Euratom inspection order

^{F30}**Rule 24**

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

Interpretation

^{F30}**Rule 25**

Assignment of business and exercise of powers

^{F30}**Rule 26**

Application for registration

^{F30}**Rule 27**

Evidence in support of application

^{F30}**Rule 28**

Security for costs

^{F30}**Rule 29**

Order for registration

^{F30}**Rule 30**

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

^{F30}**Rule 31**

Notice of registration

^{F30}**Rule 32**

Appeals

^{F30}**Rule 33**

Issue of execution

^{F30}**Rule 34**

Application for recognition

^{F30}**Rule 35**

Enforcement of High Court judgments in other Contracting States

^{F30}**Rule 36**

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

^{F30}**Rule 37**

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

^{F30}**Rule 38**

Register of United Kingdom judgments

^{F30}**Rule 39**

Authentic Instruments and Court Settlements

^{F30}**Rule 39A**

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

Exercise of powers

^{F30}**Rule 40**

Application for registration

^{F30}**Rule 41**

Evidence in support of application

^{F30}**Rule 42**

Order for registration

^{F30}**Rule 43**

Register of recommendations etc.

^{F30}**Rule 44**

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

Interpretation

^{F30}**Rule 45.**

*Status: Point in time view as at 06/04/2023.
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

^{F30}**Rule 46.**

Application for registration

^{F30}**Rule 47.**

Evidence in support of application

^{F30}**Rule 48.**

Order for registration

^{F30}**Rule 49.**

Register of judgments registered under the Judgments Regulation

^{F30}**Rule 50.**

Notice of registration

^{F30}**Rule 51.**

Appeals

^{F30}**Rule 52.**

Enforcement

^{F30}**Rule 53.**

Application for recognition

^{F30}**Rule 54.**

Enforcement of High Court Judgments in other Regulation States

^{F30}**Rule 55.**

Register of certificates

^{F30}**Rule 56.**

Authentic instruments and court settlements

^{F30}**Rule 57.**

RSC ORDER 74

APPLICATIONS AND APPEALS UNDER THE MERCHANT SHIPPING ACT 1995

Assignment of proceedings

^{F31}Rule 1

Textual Amendments

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

Appeals and re-hearings

^{F31}Rule 2

Textual Amendments

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

RSC ORDER 77

PROCEEDINGS BY AND AGAINST THE CROWN

Application and interpretation

^{F32}Rule 1

Textual Amendments

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

Transfer of proceedings

^{F32}Rule 2

Textual Amendments

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

Particulars to be included in claim form

^{F32}Rule 3

Status: Point in time view as at 06/04/2023.
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

^{F32}**Rule 4**

Textual Amendments

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

Counterclaim and set-off

^{F32}**Rule 6**

Textual Amendments

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

Summary judgment

^{F32}**Rule 7**

Textual Amendments

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

Summary applications to the Court in certain revenue matters

^{F32}**Rule 8**

Textual Amendments

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

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

^{F32}**Rule 8A**

Textual Amendments

- F32** Sch. 1 RSC Order 77 revoked (1.10.2005) by [The Civil Procedure \(Amendment No.3\) Rules 2005 \(S.I. 2005/2292\)](#), rules 1(c), **55(a)**
- F33** Words in RSC Order 77 rule 8A substituted (1.10.2005) by [The Civil Procedure \(Amendment No.3\) Rules 2005 \(S.I. 2005/2292\)](#), rules 1(c), **53**

Judgment in default

^{F32}**Rule 9**

Textual Amendments

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

Third party notices

^{F32}**Rule 10**

Textual Amendments

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

Interpleader: application for order against Crown

^{F32}**Rule 11**

Textual Amendments

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

Disclosure and further information

^{F32}**Rule 12**

Textual Amendments

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

Place of trial

^{F32}**Rule 13**

Status: Point in time view as at 06/04/2023.
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

^{F32}**Rule 14**

Textual Amendments

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

Execution and satisfaction of orders

^{F32}**Rule 15**

Textual Amendments

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

Attachment of debts, etc.

^{F32}**Rule 16**

Textual Amendments

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

Proceedings relating to postal packets

^{F32}**Rule 17**

Textual Amendments

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

Applications under ss.17 and 29 of Crown Proceedings Act

^{F32}**Rule 18**

Textual Amendments

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

RSC ORDER 79

CRIMINAL PROCEEDINGS

Estreat of recognizances

Rule 8.—(1) No recognizance acknowledged in or removed into the [^{F34}King's] Bench Division shall be estreated without the order of a judge.

(2) Every application to estreat a recognizance in the [^{F35}King's] Bench Division must be made by claim form and will be heard by a judge ^{F36}...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** Word in Sch. 1 RSC Order 79 rule 8(1) substituted (6.4.2023) by [The Civil Procedure \(Amendment\) Rules 2023 \(S.I. 2023/105\)](#), rules 1(1), **41(a)**
- F35** Words in Sch. 1 RSC Order 79 rule 8(2) substituted (6.4.2023) by [The Civil Procedure \(Amendment\) Rules 2023 \(S.I. 2023/105\)](#), rules 1(1), **41(a)**
- F36** 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 ^{F37}... 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 ^{F37}... 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 ^{F38}...) must, at least 24 hours before the day named therein for the hearing, be served—

Status: Point in time view as at 06/04/2023.

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 application was made by the defendant, on the prosecutor and on the Director of Public Prosecutions, if the prosecution is being carried on by him;
- (b) where the application was made by the prosecutor or a constable under section 3 (8) of the Bail Act 1976(1), on the defendant.
- (3) Subject to paragraph (5), every application must be supported by witness statement or affidavit.
- (4) Where a defendant in custody who desires to apply for bail is unable through lack of means to instruct a solicitor, he may give notice in writing to the [F39court] stating his desire to apply for bail and requesting that the official solicitor shall act for him in the application, and the [F40court may] assign the official solicitor to act for the applicant accordingly.
- (5) Where the official solicitor has been so assigned the [F41court may] dispense with the requirements of paragraphs (1) to (3) and deal with the application in a summary manner.
- (6) Where the [F42court] grants the defendant bail, the order must be in Form No. 98 F43 ... 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 [F44[F45designated 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)[F46the court] imposes a requirement to be complied with before a person's release on bail, [F47it] 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 [F48the court] under this rule proposes to enter into a recognizance or give security must, unless [F49the court] otherwise directs, give notice (in Form No. 100 F50 ...) 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 [F51[F52designated 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 F53 ... varying the arrangements under which the defendant has been granted bail shall be in Form 98A F54 ... 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.

- (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 [^{F55}[^{F56}designated officer] for] the court which committed the defendant.

(11) Where in pursuance of an order of [^{F57}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 [^{F58}the Supreme Court] or an application for [^{F59}a quashing order], then, upon the abandonment of the appeal or application, or upon the decision of the High Court or [^{F58}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 [^{F58}the Supreme Court].

(12) If an applicant to the High Court in any criminal proceedings is refused bail ^{F60}..., 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 ^{F61}..., 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

- F37** 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)**
- F38** Words in Sch. 1 RSC Order 79 rule 9(2) omitted (1.10.2022) by virtue of [The Civil Procedure \(Amendment No. 2\) Rules 2022 \(S.I. 2022/783\)](#), rules 1(1), **34(1)**
- F39** 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)**
- F40** 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)**
- F41** 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)**
- F42** 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)**
- F43** Words in Sch. 1 RSC Order 79 rule 9(6) omitted (1.10.2022) by virtue of [The Civil Procedure \(Amendment No. 2\) Rules 2022 \(S.I. 2022/783\)](#), rules 1(1), **34(1)**
- F44** 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**
- F45** 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 06/04/2023.

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

- F46** 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)**
 - F47** 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)**
 - F48** 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)**
 - F49** 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)**
 - F50** Words in Sch. 1 RSC Order 79 rule 9(7) omitted (1.10.2022) by virtue of The Civil Procedure (Amendment No. 2) Rules 2022 (S.I. 2022/783), rules 1(1), **34(1)**
 - F51** 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**
 - F52** 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**
 - F53** 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)**
 - F54** Words in Sch. 1 RSC Order 79 rule 9(10) omitted (1.10.2022) by virtue of The Civil Procedure (Amendment No. 2) Rules 2022 (S.I. 2022/783), rules 1(1), **34(1)**
 - F55** 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**
 - F56** 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**
 - F57** 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)**
 - F58** 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**
 - F59** 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**
 - F60** 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)**
 - F61** Words in Sch. 1 RSC Order 79 rule 9(13) omitted (1.10.2022) by virtue of The Civil Procedure (Amendment No. 2) Rules 2022 (S.I. 2022/783), rules 1(1), **34(1)**
-
- 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.

^{F62}**Rule 10**

-
- Textual Amendments**
- F62** 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

^{F62}**Rule 11**

Textual Amendments

F62 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**

F63 RSC ORDER 81

PARTNERS

Textual Amendments

F63 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

F63 Rule 1

Disclosure of partners' names

F63 Rule 2

Acknowledgment of service in a claim against firm

F63 Rule 4

Enforcing judgment or order against firm

F63 Rule 5

Enforcing judgment or order in actions between partners, etc.

F63 Rule 6

Attachment of debts owed by firm

F63 Rule 7

Application to person carrying on business in another name

F63 Rule 9

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

F63 Rule 10

*Status: Point in time view as at 06/04/2023.
Changes to legislation: There are currently no known outstanding effects
for the The Civil Procedure Rules 1998. (See end of Document for details)*

F64RSC ORDER 82
DEFAMATION CLAIMS

Textual Amendments

F64 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 ^{F64}

Indorsement of claim in libel claim

Rule 2 ^{F64}

Obligation to give particulars

Rule 3 ^{F64}

Ruling on meaning

Rule 3A ^{F64}

Provisions as to payment into Court

Rule 4 ^{F64}

Statement in open Court

Rule 5 ^{F64}

Further information not allowed in certain cases

Rule 6 ^{F64}

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

Rule 8 ^{F64}

F65RSC ORDER 85
ADMINISTRATION AND SIMILAR ACTIONS

Textual Amendments

F65 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

^{F65}**Rule 1**

Determination of questions, etc., without administration

^{F65}**Rule 2**

Parties

^{F65}**Rule 3**

Judgments and orders in administration claims

^{F65}**Rule 5**

Conduct of sale of trust property

^{F65}**Rule 6**

^{F66}**RSC ORDER 87**

DEBENTURE HOLDERS' CLAIMS : RECEIVER'S REGISTER

Textual Amendments

^{F66} **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

^{F66}**Rule 1**

Registration of transfers, etc.

^{F66}**Rule 2**

Application for rectification of receiver's register

^{F66}**Rule 3**

Receiver's register evidence of transfers, etc.

^{F66}**Rule 4**

Proof of title of holder of bearer debenture, etc.

^{F66}**Rule 5**

*Status: Point in time view as at 06/04/2023.
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

^{F66}**Rule 6**

**RSC ORDER 88
MORTGAGE CLAIMS**

Application and Interpretation

^{F67}**Rule 1**

Textual Amendments
^{F67} 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

^{F67}**Rule 2**

Textual Amendments
^{F67} 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

^{F67}**Rule 3**

Textual Amendments
^{F67} 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

^{F67}**Rule 4**

Textual Amendments
^{F67} 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

^{F67}**Rule 5**

Status: Point in time view as at 06/04/2023.

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

F67 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

^{F68}**Rule 5A**

Textual Amendments

F68 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

^{F69}**Rule 7**

Textual Amendments

F69 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.

^{F70}**Rule 1**

Textual Amendments

F70 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

^{F70}**Rule 2**

Textual Amendments

F70 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 06/04/2023.
Changes to legislation: There are currently no known outstanding effects
for the The Civil Procedure Rules 1998. (See end of Document for details)*

Setting down case stated under Taxes Management Act 1970

^{F70}**Rule 3**

.....
Textual Amendments
F70 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

^{F70}**Rule 4**

.....
Textual Amendments
F70 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

^{F70}**Rule 5**

.....
Textual Amendments
F70 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

^{F70}**Rule 5A**

.....
Textual Amendments
F70 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

^{F70}**Rule 6**

.....
Textual Amendments
F70 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 06/04/2023.

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

F71RSC ORDER 92
LODGMET, INVESTMENT, ETC., OF
FUNDS IN COURT: CHANCERY DIVISION

Textual Amendments

F71 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

F71Rule 1

Payment into court under Trustee Act 1925

F71Rule 2

Payments into court under section 26, Banking Act 1987

F71Rule 3A

Notice of lodgment

F71Rule 4

Applications with respect to funds in court

F71Rule 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)

F72Rule1

Textual Amendments

F72 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)

F73Rule 2

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

*Status: Point in time view as at 06/04/2023.
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

F73 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)

^{F74}**Rule 4**

Textual Amendments

F74 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)

^{F75}**Rule 5**

Textual Amendments

F75 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)

^{F76}**Rule 6**

Textual Amendments

F76 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

^{F77}**Rule 9**

Textual Amendments

F77 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

^{F78}**Rule 10**

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

Textual Amendments

F78 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)

^{F79}**Rule11**

Textual Amendments

F79 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.

^{F80}**Rule12**

Textual Amendments

F80 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)

^{F81}**Rule 15**

Textual Amendments

F81 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)

^{F82}**Rule16**

Textual Amendments

F82 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 06/04/2023.
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)

^{F82}**Rule 17**

.....
Textual Amendments
F82 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)

^{F82}**Rule 18**

.....
Textual Amendments
F82 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)

^{F82}**Rule 19**

.....
Textual Amendments
F82 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)

^{F83}**Rule 20**

.....
Textual Amendments
F83 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

^{F84}**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 06/04/2023.

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

F84 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 [^{F85}the Financial Services and Markets Act 2000]

^{F86}**Rule 22**

Textual Amendments

F85 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)**

F86 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)

^{F87}**Rule 23**

Textual Amendments

F87 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.

^{F88}**Rule 1**

Textual Amendments

F88 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

^{F88}**Rule 2**

*Status: Point in time view as at 06/04/2023.
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

F88 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.

^{F88}**Rule 3**

Textual Amendments

F88 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

^{F89}**Rule 4**

Textual Amendments

F89 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

^{F90}**Rule 5**

Textual Amendments

F90 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

^{F91}**Rule 6**

Textual Amendments

F91 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

^{F92}**Rule 7**

Textual Amendments

F92 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

^{F93}**Rule 8**

Textual Amendments

F93 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

^{F94}**Rule 9**

Textual Amendments

F94 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

^{F95}**Rule 10**

Textual Amendments

F95 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

^{F96}**Rule 10A**

Textual Amendments

F96 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

^{F97}**Rule 11**

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

Status: Point in time view as at 06/04/2023.
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

F97 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)

F98 **Rule 12**

Textual Amendments

F98 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

F99 **Rule 13**

Textual Amendments

F99 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)

F100 **Rule 14**

Textual Amendments

F100 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)

F101 **Rule 15**

Textual Amendments

F101 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

^{F102}Rule 16

Textual Amendments

F102 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

^{F103}Rule 1

Textual Amendments

F103 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

^{F104}Rule 2

Textual Amendments

F104 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

^{F105}Rule 3

Textual Amendments

F105 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

^{F106}Rule 4

*Status: Point in time view as at 06/04/2023.
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 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)

^{F106}**Rule 5**

Textual Amendments

F106 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

^{F106}**Rule 6**

Textual Amendments

F106 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)**

^{F107}**RSC ORDER 96**

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

Textual Amendments

F107 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

^{F107}**Rule 1**

Reference by Secretary of State of certain applications

^{F108F107}**Rule 2**

Textual Amendments

F108 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)

Issue of claim form

^{F108F107}**Rule 3**

Textual Amendments

F108 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

^{F108F107}**Rule 4**

Textual Amendments

F108 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

^{F108F107}**Rule 5**

Textual Amendments

F108 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

^{F108F107}**Rule 6**

Textual Amendments

F108 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

^{F108F107}**Rule 7**

Textual Amendments

F108 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

^{F108F107}**Rule 8**

Status: Point in time view as at 06/04/2023.

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

F108 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

^{F109}**Rule 1**

Textual Amendments

F109 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.

^{F109}**Rule 2**

Textual Amendments

F109 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

^{F109}**Rule 3**

Textual Amendments

F109 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

^{F109}**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

F109 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

F109 **Rule 5**

Textual Amendments

F109 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

F109 **Rule 6**

Textual Amendments

F109 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

F109 **Rule 6A**

Textual Amendments

F109 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

F109 **Rule 7**

Textual Amendments

F109 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

F109 **Rule 8**

Status: Point in time view as at 06/04/2023.
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

F109 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

F109 **Rule 9**

Textual Amendments

F109 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

F109 **Rule 9A**

Textual Amendments

F109 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

F109 **Rule 10**

Textual Amendments

F109 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

F109 **Rule 11**

Textual Amendments

F109 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

F109 **Rule 12**

Textual Amendments

F109 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

F109 **Rule 13**

Textual Amendments

F109 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

F109 **Rule 14**

Textual Amendments

F109 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

F109 **Rule 15**

Textual Amendments

F109 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

F109 **Rule 16**

Textual Amendments

F109 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

F109 **Rule 17**

*Status: Point in time view as at 06/04/2023.
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

F109 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

^{F109}**Rule 18**

Textual Amendments

F109 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

^{F109}**Rule 19**

Textual Amendments

F109 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

^{F110}**Rule 1**

Textual Amendments

F110 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

^{F110}**Rule 2**

Textual Amendments

F110 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

^{F110}Rule 3

Textual Amendments

F110 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

^{F110}Rule 4

Textual Amendments

F110 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)**

^{F111}RSC ORDER 99

INHERITANCE (PROVISION FOR FAMILY AND DEPENDANTS) ACT 1975

Textual Amendments

F111 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

^{F111}Rule A1

Interpretation

^{F111}Rule 1

Assignment to Chancery or Family Division if proceedings in High Court

^{F111}Rule 2

Application for financial provision

^{F111}Rule 3

Powers of Court as to parties

^{F111}Rule 4

*Status: Point in time view as at 06/04/2023.
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

^{F111}**Rule 5**

Separate representation

^{F111}**Rule 6**

Endorsement of memorandum on grant

^{F111}**Rule 7**

Disposal of proceedings in private

^{F111}**Rule 8**

Subsequent applications in proceedings under section 1

^{F111}**Rule 9**

Drawing up and service of orders

^{F111}**Rule 10**

RSC ORDER 101

THE PENSIONS APPEAL TRIBUNALS ACT 1943

Assignment to Queen’s Bench Division

^{F112}**Rule 1**

Textual Amendments
^{F112} 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

^{F112}**Rule 2**

Textual Amendments
^{F112} 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

^{F112}**Rule 3**

Status: Point in time view as at 06/04/2023.

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

F112 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

F112 **Rule 4**

Textual Amendments

F112 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)

F113 RSC ORDER 106

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

Textual Amendments

F113 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

F113 **Rule 1**

Jurisdiction under Part III of Act

F113 **Rule 2**

Power to order solicitor to deliver cash account, etc.

F113 **Rule 3**

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

F113 **Rule 5A**

Applications under Schedule 1 to Act

F113 **Rule 6**

Defendants to applications under Schedule 1 to Act

F113 **Rule 7**

*Status: Point in time view as at 06/04/2023.
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

^{F113}**Rule 8**

Adding parties, etc.

^{F113}**Rule 9**

Service of documents

^{F113}**Rule 10**

Constitution of Divisional Court to hear appeals

^{F113}**Rule 11**

Title, service, etc., of notice of appeal

^{F113}**Rule 12**

Law Society to produce certain documents

^{F113}**Rule 13**

Restriction on requiring security for costs

^{F113}**Rule 14**

Disciplinary committee’s opinion may be required

^{F113}**Rule 15**

Persons entitled to be heard on appeal

^{F113}**Rule 16**

Discontinuance of appeal

^{F113}**Rule 17**

^{F114}**RSC ORDER 108**

PROCEEDINGS RELATING TO CHARITIES: THE CHARITIES ACT 1993

Textual Amendments

F114 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

^{F114}**Rule 1**

Assignment to Chancery Division

^{F114}**Rule 2**

Application for permission to appeal or to take charity proceedings

^{F114}**Rule 3**

Application for enforcement of order or direction of Commissioners

^{F114}**Rule 4**

Appeal against order, etc., of Commissioners

^{F114}**Rule 5**

Service on Commissioners

^{F114}**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 [^{F115}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 [^{F116}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 ^{F117}...

(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 ^{F118}....

(3) Any such application to a judge ^{F119}... 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 06/04/2023.

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

- F115** 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)**
- F116** 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)**
- F117** 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)**
- F118** 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**
- F119** 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 [F120King's] Bench Division.

F121(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

- F120** Word in Sch. 1 RSC Order 109 rule 2(1) substituted (6.4.2023) by [The Civil Procedure \(Amendment\) Rules 2023 \(S.I. 2023/105\)](#), rules 1(1), **41(b)**
- F121** 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 [F122Supreme 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 [F122Supreme 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

F122 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)**

[^{F123}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 [^{F124}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 [^{F124}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 [^{F125}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 ^{F126}... 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 [^{F127}[^{F128}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 06/04/2023.
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

- F123** 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**
- F124** 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)**
- F125** 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)**
- F126** Words in Sch. 1 RSC Order 109 rule 4(4) omitted (1.10.2022) by virtue of [The Civil Procedure \(Amendment No. 2\) Rules 2022 \(S.I. 2022/783\)](#), rules 1(1), **34(2)**
- F127** 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**
- F128** 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**

F129 RSC ORDER 110

ENVIRONMENTAL CONTROL PROCEEDINGS

Textual Amendments

- F129** 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

F129 Rule 1

RSC ORDER 111

THE SOCIAL SECURITY ADMINISTRATION ACT 1992

Judge by whom appeals and references to be heard

F130 Rule 1

Textual Amendments

- F130** 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)

F130

Status: Point in time view as at 06/04/2023.

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

F130 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)

F130

Textual Amendments

F130 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)

F130

Textual Amendments

F130 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)

F130

Textual Amendments

F130 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)

F131RSC ORDER 112

[^{F132}APPLICATIONS FOR USE OF SCIENTIFIC TESTS IN DETERMINING PARENTAGE]

Textual Amendments

F131 Sch. 1 Order 112 revoked (2.10.2006) by [The Civil Procedure \(Amendment\) Rules 2006](#) (S.I. 2006/1689), rules 1, **12(c)**

F132 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

F131Rule 1

Status: Point in time view as at 06/04/2023.
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

^{F131}**Rule 2**

Applications involving children under 16 and patients

^{F131}**Rule 3**

Addition as a party of person to be tested

^{F131}**Rule 4**

Service of direction and adjournment of proceedings

^{F131}**Rule 5**

Service of copy report

^{F131}**Rule 6**

^{F133}**RSC ORDER 113**

SUMMARY PROCEEDINGS FOR POSSESSION OF LAND

Textual Amendments

^{F133} **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

^{F133}**Rule 1**

Jurisdiction of Masters

^{F133}**Rule 1A**

Forms of claim form

^{F133}**Rule 2**

Witness statement or affidavit in support

^{F133}**Rule 3**

Service of claim form

^{F133}**Rule 4**

Application by occupier to be made a party

^{F133}**Rule 5**

Order for possession

^{F133}**Rule 6**

Writ of possession

Rule 7 ^{F133}

Setting aside order

^{F133}**Rule 8**

^{F134}**RSC ORDER 114**

REFERENCES TO THE EUROPEAN COURT

Textual Amendments

F134 [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

^{F134}**Rule 1**

Making of order

^{F134}**Rule 2**

Schedule to order to set out request for ruling

^{F134}**Rule 3**

Stay of proceedings pending ruling

^{F134}**Rule 4**

Transmission of order to the European Court

^{F134}**Rule 5**

Appeals from orders made by High Court

^{F134}**Rule 6**

Status: Point in time view as at 06/04/2023.

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 [^{F135}King’s] Bench Division ^{F136}....

Textual Amendments

F135 Word in Sch. 1 RSC Order 115 rule 2 substituted (6.4.2023) by [The Civil Procedure \(Amendment\) Rules 2023 \(S.I. 2023/105\)](#), rules 1(1), **41(c)(i)**

F136 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;

(37)
(38)

Status: Point in time view as at 06/04/2023.

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

- (d) where the application is made under section 19 (4), the proceedings which have been initiated against the defendant (including particulars of the offence and the date and place of institution of those proceedings); and
 - (e) where the defendant is alleged to have absconded, the steps taken to contact him.
- (3) The prosecutor's statement under section 11 shall be exhibited to the witness statement or affidavit and shall include the following particulars—
- (a) the name of the defendant;
 - (b) the name of the person by whom the statement is given;
 - (c) such information known to the prosecutor as is relevant to the determination whether the defendant has benefited from drug trafficking and to the assessment of the value of his proceeds of drug trafficking.
- (4) Unless the Court otherwise orders, a witness statement or affidavit under paragraph (2) may contain statements of information and belief, with their sources and grounds.
- (5) The application and the witness statement or affidavit in support shall be served not less than 7 days before the date fixed for the hearing of the application on—
- (a) the defendant (or on the personal representatives of a deceased defendant);
 - (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.

Status: Point in time view as at 06/04/2023.

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

(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 ^{F137}specified in CPR rule ^{F138}73.7(7)(e) to (g)] as shall be appropriate.

Textual Amendments

F137 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)

F138 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 ^{F139}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 ^{F140}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

F139 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)**

F140 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 [F141]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

F141 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 [F142]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.

Status: Point in time view as at 06/04/2023.

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

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

Textual Amendments

F142 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 ^{F143}or a master of the ^{F144}King's Bench Division.

Textual Amendments

F143 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)**

F144 Word in Sch. 1 RSC Order 115 rule 12 substituted (6.4.2023) by [The Civil Procedure \(Amendment\) Rules 2023 \(S.I. 2023/105\)](#), rules 1(1), **41(c)(ii)**

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.

Status: Point in time view as at 06/04/2023.

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

Evidence in support of application under section 37

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

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

Evidence in support of application under section 40 (1)

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

- (a) exhibiting the order or a verified or certified or otherwise duly authenticated copy thereof and, where the order is not in the English language, a translation thereof into English certified by a notary public or authenticated by witness statement or affidavit, and
- (b) stating—
 - (i) that the order is in force and is not subject to appeal,
 - (ii) where the person against whom the order was made did not appear in the proceedings, that he received notice thereof in sufficient time to enable him to defend them,
 - (iii) in the case of money, either that at the date of the application the sum payable under the order has not been paid or the amount which remains unpaid, as may be appropriate, or, in the case of other property, the property which has not been recovered, and
 - (iv) to the best of the witness's knowledge, particulars of what property the person against whom the order was made holds in England and Wales, giving the source of the witness's knowledge.

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

Register of orders

Rule 16.—(1) There [^{F145}will] be kept in the Central Office [^{F146}at the Royal Courts of Justice in London] under the direction of the Master of the [^{F147}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

F145 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)**

F146 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)**

F147 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 [^{F148}delivering it to that person] personally or by sending it [^{F149}to that person's] usual or last known address or place of business or in such other manner as the Court may direct.

[^{F150}(2) Permission is not required to serve such a notice out of the jurisdiction and CPR rules [^{F151}6.40, 6.42 and 6.46] apply in relation to such notice as they apply in relation to a claim form.]

Textual Amendments

F148 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)**

F149 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)**

F150 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**

F151 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.

Status: Point in time view as at 06/04/2023.

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

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

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

Interpretation

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

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

Application of Part I of Order 115

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

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

[^{F152}III: TERRORISM ACT 2000]

Textual Amendments

F152 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 [^{F153}Terrorism Act 2000];
- (b) “Schedule 4” means Schedule 4 to the Act; ^{F154} ...
- [^{F155}[^{F156}(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 [^{F157}any proceedings] for such an offence;] ^{F158} ...
- [^{F159}(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]
- [^{F160}(g)] [^{F161}other] expressions used have the same meanings as they have in [^{F162}Schedule 4 to] the Act.

Textual Amendments

- F153** 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)**
- F154** 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)**
- F155** 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)**
- F156** 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)**
- F157** 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)**
- F158** 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)**
- F159** 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)**
- F160** 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)**
- F161** 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)**
- F162** 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)**

Status: Point in time view as at 06/04/2023.

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 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 [F163King's] Bench Division or of the Chancery Division F164 ...

(2) The jurisdiction conferred on the High Court by [F165paragraph 13] of Schedule 4 may also be exercised by a master of the [F166King's] Bench Division.

Textual Amendments

F163 Word in Sch. 1 RSC Order 115 rule 25(1) substituted (6.4.2023) by [The Civil Procedure \(Amendment\) Rules 2023 \(S.I. 2023/105\)](#), rules 1(1), **41(c)(iii)**

F164 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)**

F165 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)**

F166 Word in Sch. 1 RSC Order 115 rule 25(2) substituted (6.4.2023) by [The Civil Procedure \(Amendment\) Rules 2023 \(S.I. 2023/105\)](#), rules 1(1), **41(c)(iii)**

Application for restraint order [F167 and domestic freezing order certificate]

Rule 26.—(1) An application for a restraint order [F168and, 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:—

[F169(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) [F170where 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;

[F171(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 [F172the 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[F173.]

F174(d)

F174(e)

[^{F175}(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 [^{F176}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

- F167** 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)**
- F168** 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)**
- F169** 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)**
- F170** 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)**
- F171** 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)**
- F172** 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)**
- F173** 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)**
- F174** 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)**
- F175** 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)**
- F176** 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 [^{F177}court] otherwise directs, a restraint order made without notice of [^{F178}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 [^{F179}, 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.

[^{F180}(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).]

Status: Point in time view as at 06/04/2023.

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** 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)**
- F178** 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)**
- F179** 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)**
- F180** 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 [^{F181}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 [^{F182}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.

[^{F183}(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

- F181** 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)**
- F182** 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)**
- F183** 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 [^{F184}in relation to a restraint order, domestic freezing order certificate or forfeiture order]

Rule 29 An application for an order under [^{F185}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 [^{F186}the person or body by whom compensation, if ordered, will be payable under paragraph 9(6) or 10(4)] not less than 7 days before the date fixed for the hearing of the application.

Textual Amendments

F184 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)**

F185 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)**

F186 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 [^{F187}of a British Islands order]

Rule 30 An application for registration of a [^{F188}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

F187 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)**

F188 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)**

[^{F189}Evidence in support of an application for registration of a British Islands order]

Rule 31.—(1) An application for registration of [^{F190}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

F189 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)**

F190 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)**

Status: Point in time view as at 06/04/2023.

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

[^{F191}Register of all orders registered under the Act]

Rule 32.—(1) There [^{F192}will] be kept in the Central Office [^{F193}at the Royal Courts of Justice in London] under the direction of the Master of the [^{F194}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

- F191** 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)**
- F192** 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)**
- F193** 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)**
- F194** 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 [^{F195}of a British Islands order]

Rule 33.—(1) Notice of the registration of [^{F196}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.

[^{F197}(2) Permission is not required to serve such a notice out of the jurisdiction and CPR rules [^{F198}6.40, 6.42 and 6.46] apply in relation to such notice as they apply in relation to a claim form.]

Textual Amendments

- F195** 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)**
- F196** 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)**
- F197** 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**
- F198** 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 [^{F199}cancel registration of a British Islands order]

Rule 34 An application to vary or [^{F200}cancel] the registration of [^{F201}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

- F199** 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)**

F200 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)**

F201 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 [^{F202} 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 [^{F203} paragraph 7 or 8] of Schedule 4, as applied by [^{F204} paragraph 13(6)] of that Schedule.

Textual Amendments

F202 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)**

F203 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)**

F204 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 [^{F205} of a British Islands order]

Rule 36 If effect has been given (whether in England or Wales or elsewhere) to a [^{F206} 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

F205 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)**

F206 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)**

[^{F207} 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.

Status: Point in time view as at 06/04/2023.

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

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

Textual Amendments

F207 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

F207 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

F207 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

F207 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)**

^{F208} Part IV International Criminal Court Act 2001: fines, forfeitures and reparation orders

Textual Amendments

F208 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—

Status: Point in time view as at 06/04/2023.

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

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

Registration of ICC orders for enforcement

38.—(1) An application to the High Court to register an order of the ICC for enforcement, or to vary or set aside the registration of an order, may be made to a judge or a Master of the [^{F209}King'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.]

Textual Amendments

F209 Word in Sch. 1 RSC Order 115, rule 38(1) substituted (6.4.2023) by [The Civil Procedure \(Amendment\) Rules 2023 \(S.I. 2023/105\)](#), rules 1(1), **41(c)(iv)**

^{F210}RSC ORDER 116

THE CRIMINAL PROCEDURE AND INVESTIGATIONS ACT 1996

Textual Amendments

F210 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

^{F210}**1.**

Interpretation

^{F210}**2.**

Assignment of proceedings

^{F210}**3.**

Time limit for making application

^{F210}**4.**

Status: Point in time view as at 06/04/2023.
Changes to legislation: There are currently no known outstanding effects for the The Civil Procedure Rules 1998. (See end of Document for details)

Application

^{F210}5.

Notice to the acquitted person

^{F210}6.

Witness statement or affidavit of service on an acquitted person

^{F210}7.

Response of acquitted person

^{F210}8.

Evidence

^{F210}9.

Determination of the application

^{F210}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 [^{F211}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 [^{F212}the County Court], that provision shall have effect with the necessary modifications and in particular—

- (b) any reference in that provision to a master, [^{F213}District Judge] of the principal registry of the Family Division, the Admiralty [^{F214}Registrar], or a [^{F213}District Judge] or [^{F215}Taxing

Status: Point in time view as at 06/04/2023.

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

Officer] shall be construed as a reference to the [^{F213}District Judge] of the [^{F211}County Court]; and

- (d) any reference in that provision to an office of the [^{F216}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 [^{F217}office of a County Court hearing centre].

Textual Amendments

F211 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)

F212 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)

F213 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)

F214 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)

F215 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)

F216 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**

F217 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

^{F218}**Rule 6**

Textual Amendments

F218 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

^{F219}**Rule 3**

*Status: Point in time view as at 06/04/2023.
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

F219 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)**

F220 CCR ORDER 5

CAUSES OF ACTION AND PARTIES

Textual Amendments

F220 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

F220F221 **Rule 5**

Textual Amendments

F221 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

F220F221 **Rule 6**

Textual Amendments

F221 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

F220F221 **Rule 7**

Textual Amendments

F221 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

F220F221 **Rule 8**

Status: Point in time view as at 06/04/2023.

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

F221 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

F220 **Rule 9**

Defendant carrying on business in another name

F220 **Rule 10**

Failure to proceed after death of party

F220F222 **Rule 12**

Textual Amendments

F222 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

F220F222 **Rule 13**

Textual Amendments

F222 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

F220F222 **Rule 14**

Textual Amendments

F222 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

F223 **Rule 3**

Status: Point in time view as at 06/04/2023.
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

F223 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

^{F224}**Rule 5**

Textual Amendments

F224 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

^{F225}**Rule 5A**

Textual Amendments

F225 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

^{F226}**Rule 6**

Textual Amendments

F226 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

^{F227}**Rule 15**

Textual Amendments

F227 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

^{F227}Rule 15A

Textual Amendments

F227 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**

CCR ORDER 13

APPLICATIONS AND ORDERS IN THE COURSE OF PROCEEDINGS

General provisions

^{F228}Rule 1

Textual Amendments

F228 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)

^{F229}CCR ORDER 16

TRANSFER OF PROCEEDINGS

Textual Amendments

F229 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](#))

^{F230}CCR ORDER 19

REFERENCE TO EUROPEAN COURT

Textual Amendments

F230 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

^{F230}Rule 15

*Status: Point in time view as at 06/04/2023.
Changes to legislation: There are currently no known outstanding effects
for the The Civil Procedure Rules 1998. (See end of Document for details)*

F231 CCR ORDER 22
JUDGMENTS AND ORDERS

Textual Amendments
F231 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)

Certificate of judgment

F231 **Rule 8**

Variation of payment

F231 **Rule 10**

Set-off of cross-judgments

F231 **Rule 11**

Order of appellate court

F231 **Rule 13**

F232 CCR ORDER 24
SUMMARY PROCEEDINGS FOR THE RECOVERY OF LAND

Textual Amendments
F232 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

F232 **Rule 1**

Witness statement or affidavit in support

F232 **Rule 2**

Service of claim form

F232 **Rule 3**

Application by occupier to be made a party

^{F232}**Rule 4**

Hearing of claim

^{F232}**Rule 5**

Warrant of possession

^{F232}**Rule 6**

Setting aside order

^{F232}**Rule 7**

Part II—Interim Possession Orders

Definitions and interpretation

^{F232}**Rule 8**

Conditions for interim possession order application

^{F232}**Rule 9**

Issue of the applications

^{F232}**Rule 10**

Service of the notice of application

^{F232}**Rule 11**

Consideration of the application

^{F232}**Rule 12**

Service and enforcement of the interim possession order

^{F232}**Rule 13**

Matters arising after making of an interim possession order

^{F232}**Rule 14**

Application to set aside an interim possession order

^{F232}**Rule 15**

*Status: Point in time view as at 06/04/2023.
Changes to legislation: There are currently no known outstanding effects
for the The Civil Procedure Rules 1998. (See end of Document for details)*

F233 CCR ORDER 25

ENFORCEMENT OF JUDGMENTS AND ORDERS: GENERAL

Textual Amendments

F233 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

F233 Rule 1

Transfer of proceedings for enforcement

F233 Rule 2

Oral examination of debtor

F233 Rule 3

Examination of debtor under judgment not for money

F233 Rule 4

Provision of information

F233 Rule 5

Interest on judgment debts

F233 Rule 5A

Description of parties

F233 Rule 6

Recording and giving information as to warrants and orders

F233 Rule 7

Suspension of judgment or execution

F233 Rule 8

Enforcement of judgment or order against firm

F233 Rule 9

Enforcing judgment between a firm and its members

F233 Rule 10

Enforcement of High Court judgment

^{F233}**Rule 11**

Enforcement of award of tribunal

^{F233}**Rule 12**

Transfer to High Court for enforcement

^{F233}**Rule 13**

^{F234}**CCR ORDER 26**

WARRANTS OF EXECUTION, DELIVERY AND POSSESSION

Textual Amendments

^{F234} **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

^{F234}**Rule 1**

Execution of High Court judgment

^{F234}**Rule 2**

Execution against farmer

^{F234}**Rule 3**

Concurrent warrants

^{F234}**Rule 4**

Permission to issue certain warrants

^{F234}**Rule 5**

Duration and renewal of warrant

^{F234}**Rule 6**

Notice on levy

^{F234}**Rule 7**

*Status: Point in time view as at 06/04/2023.
Changes to legislation: There are currently no known outstanding effects
for the The Civil Procedure Rules 1998. (See end of Document for details)*

Bankruptcy or winding up of debtor

^{F234}**Rule 8**

Withdrawal and suspension of warrant at creditor’s request

^{F234}**Rule 10**

Suspension of part warrant

^{F234}**Rule 11**

Inventory and notice where goods removed

^{F234}**Rule 12**

Account of sale

^{F234}**Rule 13**

Notification to foreign court of payment made

^{F234}**Rule 14**

Order for private sale

^{F234}**Rule 15**

Warrant of delivery

^{F234}**Rule 16**

Warrant of possession

^{F234}**Rule 17**

Saving for enforcement by committal

^{F234}**Rule 18**

^{F235}**CCR ORDER 27**

ATTACHMENT OF EARNINGS

.....

Textual Amendments
F235 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

[^{F236}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

F236 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 [^{F237}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 [^{F237}County Court hearing centre which serves the address where] any of the debtors resides or carries on business.

(2) The judgment creditor shall make [^{F238}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.

[^{F239}(3) The judgment creditor must file with the request all written evidence on which [^{F240}the judgment creditor] intends to rely.]

Textual Amendments

F237 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)

F238 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)

F239 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)**

F240 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))

Status: Point in time view as at 06/04/2023.

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

^{F241} 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

F241 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 ^{F242}the judgment creditor’s] solicitor gives a certificate for postal service in respect of a debtor residing or carrying on business ^{F243}at an address which is served by the County Court hearing centre], ^{F244}the judgment summons will], unless the ^{F245}District Judge] otherwise directs, be served on that debtor by ^{F246}... the court ^{F247}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, ^{F248}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 ^{F249}the debtor] unless—

(a) ^{F250}the debtor] appears at the hearing; or

^{F251}(b) it is made under section 110(2) of the Act.]

^{F252}(4) The written evidence on which the judgment creditor intends to rely must be served with the judgment summons.]

Textual Amendments

F242 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)**

F243 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)

F244 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)**

F245 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)

F246 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)**

F247 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)**

F248 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)**

- F249** 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)
- F250** 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)
- F251** 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)**
- F252** 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) [^{F253}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 [^{F254}will] be sent pursuant to CPR rule [^{F255}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 ^{F256}... undelivered.

(3) CPR rules 7.5 and 7.6 ^{F257}... apply, with the necessary modifications, to a judgment summons as they apply to a claim form.

Textual Amendments

- F253** 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)**
- F254** 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)**
- F255** 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)**
- F256** 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)**
- F257** 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

Status: Point in time view as at 06/04/2023.

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

Earnings Act 1971(41) for the attendance of the debtor at an adjourned hearing of an application for an attachment of earnings order.

[^{F258}(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 [^{F259}the debtor's] expenses in travelling to and from the court, unless such a sum was paid ^{F260}... at the time of service of the judgment summons.

Textual Amendments

F258 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)**

F259 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)

F260 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)

[^{F261}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 [^{F262}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

F261 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)**

F262 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))

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

Suspension of committal order

Rule 7.—(1) If on the hearing of a judgment summons a committal order is made, the [F263 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 [F264 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 [F265 desired], stating the reasons for [F266 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 [F267 court] and give at least 3 days' notice thereof to the judgment creditor and the debtor.

(5) The [F245 District Judge] may suspend execution of the committal order pending the hearing of an application under paragraph (4).

Textual Amendments

F245 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)

F263 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)

F264 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)

F265 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)

F266 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)

F267 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 [F268 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.

Status: Point in time view as at 06/04/2023.
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

F268 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 [^{F269}County Court] to the High Court.

[^{F270}(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 [^{F269}County Court] shall be deemed to be a judgment or order of the court in which the judgment summons is heard.]

Textual Amendments

F269 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](#))

F270 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](#))

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 [^{F271}court] 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.

[^{F272}(3)

Textual Amendments

F271 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](#))

Status: Point in time view as at 06/04/2023.

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

F272 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.

^{F273}(3)

Textual Amendments

F273 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

^{F274}**Rule 12**

Textual Amendments

F274 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 ^{F275}..., [^{F276}the court officer] shall make and sign a certificate of payment and send it by post or otherwise to the gaoler;

^{F277}(b)

(c) if the payment is made to the gaoler, [^{F278}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).

Status: Point in time view as at 06/04/2023.

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

- F275** 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)
- F276** 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)**
- F277** 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)
- F278** 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 [^{F279}court] a request that a debtor lodged in prison under a warrant of committal may be discharged from custody, [^{F279}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 ^{F280}... 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 [^{F281}the debtor] is unable to pay the sum in respect of which [^{F281}the debtor] has been committed and ought to be discharged and stating any offer which [^{F281}the debtor] desires to make as to the terms on which ^{F280}... discharge is 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 ^{F280}... 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 [^{F282}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

- F279** 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(l)(i)** (with rule 25)
- F280** 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(l)(ii)(aa)** (with rule 25)
- F281** 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(l)(ii)(bb)** (with rule 25)
- F282** 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(l)(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

^{F283}**Rule 1**

Textual Amendments

F283 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

^{F283}**Rule 1A**

Textual Amendments

F283 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)

Solicitor's undertaking

^{F283}**Rule 2**

Textual Amendments

F283 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

^{F283}**Rule 3**

Textual Amendments

F283 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

^{F284}**Rule 1**

*Status: Point in time view as at 06/04/2023.
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

F284 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

^{F284}**Rule 2**

Textual Amendments

F284 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

^{F284}**Rule 3**

Textual Amendments

F284 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)**)

Notice by deposit-taking institution denying indebtedness

^{F284}**Rule 5**

Textual Amendments

F284 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.

^{F284}**Rule 7**

Textual Amendments

F284 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

^{F284}**Rule 8**

Textual Amendments

F284 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

F284 **Rule 9**

Textual Amendments

F284 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

F284 **Rule 10**

Textual Amendments

F284 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

F284 **Rule 11**

Textual Amendments

F284 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

F284 **Rule 12**

Textual Amendments

F284 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

F284 **Rule 13**

*Status: Point in time view as at 06/04/2023.
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

F284 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

F284 **Rule 14**

Textual Amendments

F284 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

F284 **Rule 15**

Textual Amendments

F284 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)**)

CCR ORDER 31

CHARGING ORDERS

Application for charging order

F285 **Rule 1**

Textual Amendments

F285 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

F285 **Rule 2**

Textual Amendments

F285 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)**)

Status: Point in time view as at 06/04/2023.

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

Effect of charging order etc.

^{F285}Rule 3

Textual Amendments

F285 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

^{F285}Rule 4

Textual Amendments

F285 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)**)

^{F286}CCR ORDER 33

INTERPLEADER PROCEEDINGS

Textual Amendments

F286 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

^{F286}Rule 1

Reply to interpleader claim

^{F286}Rule 2

Order protecting district judge

^{F286}Rule 3

Issue of interpleader proceedings

^{F286}Rule 4

Claim for damages

^{F286}Rule 5

*Status: Point in time view as at 06/04/2023.
Changes to legislation: There are currently no known outstanding effects
for the The Civil Procedure Rules 1998. (See end of Document for details)*

Part II— Otherwise than under Execution

Application for relief

^{F286}**Rule 6**

Relief in pending claim

^{F286}**Rule 7**

Relief otherwise than in pending claim

^{F286}**Rule 8**

Payment into court etc.

^{F286}**Rule 9**

Reply by interpleader claimant

^{F286}**Rule 10**

Order barring interpleader claim etc.

^{F286}**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

^{F287}**Rule 1**

Textual Amendments

^{F287} 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

^{F287}**Rule 1A**

Textual Amendments

^{F287} 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 06/04/2023.

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

Notice to show cause before or after fine under s.55 of the Act

^{F287}Rule 2

Textual Amendments

F287 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

^{F287}Rule 3

Textual Amendments

F287 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)

Repayment of fine

^{F287}Rule 4

Textual Amendments

F287 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)

^{F288}CCR ORDER 35

ENFORCEMENT OF COUNTY COURT JUDGMENTS OUTSIDE ENGLAND AND WALES

Textual Amendments

F288 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

^{F288}Rule 1

Application under s.10 of the Act of 1933 for certified copy of county court judgment

^{F288}Rule 2

*Status: Point in time view as at 06/04/2023.
Changes to legislation: There are currently no known outstanding effects
for the The Civil Procedure Rules 1998. (See end of Document for details)*

Application under s.12 of the Act of 1982 for certified copy of county court judgment

^{F288}**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

^{F288}**Rule 3A.**

Part II—Enforcement in other parts of the United Kingdom

Interpretation of Part II

^{F288}**Rule 4**

Application for certificate of money provision

^{F288}**Rule 5**

Application for certified copy of judgment containing non-money provision

^{F288}**Rule 6**

^{F289}**CCR ORDER 37...**

REHEARING, SETTING ASIDE AND APPEAL FROM DISTRICT JUDGE

Textual Amendments

F289 [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

^{F289}**Rule 1**

Appeal from district judge

^{F289}**Rule 6**

Imposition of terms and stay of execution

^{F289}**Rule 8**

F²⁹⁰CCR ORDER 38

COSTS

Textual Amendments

F²⁹⁰ 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

F²⁹⁰Rule 18

F²⁹⁰APPENDIX B

PART I

F²⁹⁰ ...

F²⁹⁰Part II

Judgments

F²⁹⁰ ...

F²⁹⁰PART III

Miscellaneous Proceedings

F²⁹⁰ ...

CCR ORDER 39

ADMINISTRATION ORDERS

Exercise of powers ^{F²⁹¹}...

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 [^{F²⁹²}a judge of the County Court] or, in the circumstances mentioned in this Order, by the court officer.

(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.

Status: Point in time view as at 06/04/2023.

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

- F291** 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)
- F292** 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 [^{F293}at the County Court hearing centre which serves the address where the debtor] resides or carries on business.

(2) Where on [^{F294}... examination under [^{F295}CPR Part 71], or otherwise, a debtor furnishes to the court on oath a list of [^{F294}... creditors and the amounts [^{F296}owed] to them respectively and sufficient particulars of [^{F294}... [^{F297}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

- F293** 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)
- F294** 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)
- F295** 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)
- F296** 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)
- F297** 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 [^{F298}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 [^{F299}the debtor] to give written reasons for any objection [^{F300}... to the proposed rate within 14 days of service of [^{F301}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 [^{F302}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 [^{F303}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 [^{F304}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 [^{F305}the court officer] considers that the debtor's means are insufficient or otherwise), [^{F306}the request shall be referred to the court].

(6) Where the [^{F307}the court considers that it is] able to do so without the attendance of the parties, ^{F308}... the proposed rate providing for payment of the debts included in the list [^{F309}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.

(8) Where the [^{F310}court] does not fix the proposed rate under paragraph (6), [^{F311}it will] direct the court officer to fix a day for a hearing at which the [^{F310}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

- F298** 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)
- F299** 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)
- F300** 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)
- F301** 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)
- F302** 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)
- F303** 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)
- F304** 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)
- F305** 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)
- F306** 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)

Status: Point in time view as at 06/04/2023.

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

- F307** 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)
- F308** 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)
- F309** 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)
- F310** 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)
- F311** 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 [^{F312}that] objection, stating the grounds thereof, to the court officer, to the debtor and to the creditor to whose debt [^{F313}the objection is made].

(2) Except with the permission of the court, no creditor may object to a debt unless [^{F314}that creditor has given notice of the] objection under paragraph (1).

Textual Amendments

- F312** 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)
- F313** 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)
- F314** 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 ^{F315}... mentioned in the list furnished by the debtor, may attend and prove [^{F316}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 [^{F317}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

- F315** 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)
- F316** 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)
- F317** 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—

- (a) the debtor;
- (b) every creditor whose name was included in the list furnished by the debtor;
- (c) any other creditor who has proved [^{F318}their] debt; and
- (d) every other court in which, to the knowledge of the [^{F319}court], judgment has been obtained against the debtor or proceedings are pending in respect of any debt scheduled to the order.

Textual Amendments

- F318** 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)
- F319** 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 [^{F320}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.

Status: Point in time view as at 06/04/2023.

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

(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 [^{F321}the creditor] becoming aware of the administration order.

Textual Amendments

F320 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)

F321 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 [^{F322}that creditor] wishes to prove [^{F323}that] debt, send particulars of [^{F324}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 [^{F325}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 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

F322 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)

F323 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)

F324 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)

F325 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⁽⁴⁴⁾ 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.

⁽⁴⁴⁾ Section 112 was amended by the Insolvency Act 1985 (c. 65), section 220(2).

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 [^{F326}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 [^{F327}the debtor] of the amounts which are outstanding; and
- (b) requiring [^{F328}the debtor] (within 14 days of service of the notice upon [^{F328}the debtor]) to
 - (i) make the payments as required by the order; or
 - (ii) explain [^{F329}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) [^{F330}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 [^{F331}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 [^{F332}them] and giving [^{F333}their] reasons, apply on notice for the [^{F334}court] to consider the matter afresh and the court officer shall fix a day for the hearing of the application ^{F335}... 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.

Status: Point in time view as at 06/04/2023.

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

(5) On hearing an application under paragraph (4), the [^{F336}court] may confirm the order or set it aside and make such new order as [^{F337}it] thinks fit and the order so made shall be entered in the records of the court.

Textual Amendments

- F326** 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)
- F327** 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)
- F328** 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)
- F329** 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)
- F330** 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)
- F331** 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)
- F332** 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)
- F333** 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)
- F334** 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)
- F335** 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)
- F336** 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)
- F337** 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.

Status: Point in time view as at 06/04/2023.

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

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(45) 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 ^{F338}... residence shall forthwith inform the court of [^{F339}their] new address.

(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

F338 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)

F339 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

^{F340}**Rule 1**

Textual Amendments

F340 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)**

(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 06/04/2023.
Changes to legislation: There are currently no known outstanding effects
for the The Civil Procedure Rules 1998. (See end of Document for details)*

Particulars of claim in claim against the Crown

^{F340}Rule 4

Textual Amendments

F340 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

^{F340}Rule 5

Textual Amendments

F340 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

^{F340}Rule 6

Textual Amendments

F340 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

^{F340}Rule 7

Textual Amendments

F340 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

^{F340}Rule 8

Textual Amendments

F340 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

^{F340}Rule 9

Textual Amendments

F340 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

F340 **Rule 10**

Textual Amendments

F340 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

F340 **Rule 11**

Textual Amendments

F340 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

F340 **Rule 12**

Textual Amendments

F340 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

F340 **Rule 13**

Textual Amendments

F340 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.

F340 **Rule 14**

Status: Point in time view as at 06/04/2023.
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

F340 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

^{F341}**Rule 1**

Textual Amendments

F341 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**

Commencement of proceedings and answer

^{F341}**Rule 2**

Textual Amendments

F341 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

^{F341}**Rule 3**

Textual Amendments

F341 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

^{F341}**Rule 4**

Textual Amendments

F341 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

^{F341}Rule 5

Textual Amendments

F341 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

^{F341}Rule 6

Textual Amendments

F341 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

^{F341}Rule 7

Textual Amendments

F341 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

^{F341}Rule 8

Textual Amendments

F341 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

^{F341}Rule 9

Textual Amendments

F341 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

^{F341}Rule 10

Status: Point in time view as at 06/04/2023.
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

F341 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

F341 **Rule 11**

Textual Amendments

F341 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

F341 **Rule 13**

Textual Amendments

F341 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

F341 **Rule 15**

Textual Amendments

F341 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

F341 **Rule 16**

Textual Amendments

F341 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

F341 **Rule 16A**

Textual Amendments

F341 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

F341 **Rule 17**

Textual Amendments

F341 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

F341 **Rule 18**

Textual Amendments

F341 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

F341 **Rule 19**

Textual Amendments

F341 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

F341 **Rule 20**

Textual Amendments

F341 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

F341 **Rule 21**

Status: Point in time view as at 06/04/2023.
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

F341 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

F341 **Rule 22**

Textual Amendments

F341 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**

CCR ORDER 44

THE AGRICULTURAL HOLDINGS ACT 1986

Order to arbitrator to state case

F342 **Rule 1**

Textual Amendments

F342 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

F342 **Rule 2**

Textual Amendments

F342 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

F342 **Rule 3**

Textual Amendments

F342 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)

Status: Point in time view as at 06/04/2023.

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

Enforcement of order imposing penalty

Rule 4.—(1) When taking any proceedings for the enforcement in [^{F343}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 [^{F344}control], the proceedings may be taken in [^{F345}the County Court hearing centre serving the address where] execution is to be levied.

Textual Amendments

- F343** 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)
- F344** 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)
- F345** 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

^{F346}^{F347}**Rule 1**

Textual Amendments

- F346** Sch. 2 CCR Order 45 revoked (1.10.2007) by [The Civil Procedure \(Amendment\) Rules 2007 \(S.I. 2007/2204\)](#), rules 1, **20(d)**
- F347** 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 ^{F346}

Textual Amendments

- F346** 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

^{F346}**Rule 3**

Status: Point in time view as at 06/04/2023.
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
F346 Sch. 2 CCR Order 45 revoked (1.10.2007) by [The Civil Procedure \(Amendment\) Rules 2007 \(S.I. 2007/2204\)](#), rules 1, **20(d)**

F348 CCR ORDER 46
THE LEGITIMACY ACT 1976

Textual Amendments
F348 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)**

Manner of application

F348 Rule 1

Preliminary consideration and service

F348 Rule 2

Answer

F348 Rule 3

F349 CCR ORDER 47
DOMESTIC AND MATRIMONIAL PROCEEDINGS

Textual Amendments
F349 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

F349 Rule 5

Status: Point in time view as at 06/04/2023.

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

F350 CCR ORDER 48B

[F351 Enforcement of traffic penalties]

Textual Amendments

F350 Sch. 2 CCR Order 48B revoked (1.10.2002) by [The Civil Procedure \(Amendment\) Rules 2002 \(S.I. 2002/2058\)](#), rules 1(a), **35**

F351 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

F350 **Rule 1**

Establishment of the [F352 traffic enforcement centre]

F350 **Rule 1A**

Textual Amendments

F352 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

F350 **Rule 2**

Documents

F350 **Rule 3**

Functions of court officer

F350 **Rule 4**

Enforcement of orders

F350 **Rule 5**

CCR ORDER 48D

ENFORCEMENT OF FIXED PENALTIES UNDER THE ROAD TRAFFIC (VEHICLE EMISSIONS) (FIXED PENALTY) REGULATIONS 1997

Application and interpretation

F353 **1.**

Status: Point in time view as at 06/04/2023.
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 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

^{F353}**2.**

Textual Amendments

F353 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

^{F353}**3.**

Textual Amendments

F353 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)**

Documents

^{F353}**4.**

Textual Amendments

F353 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

^{F353}**5.**

Textual Amendments

F353 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)

^{F354}**Rule 1**

Textual Amendments

F354 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)

^{F355}**Rule 1A**

Textual Amendments

F355 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)

^{F356}**Rule 2**

Textual Amendments

F356 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)

^{F357}**Rule 4**

Textual Amendments

F357 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

^{F358}**Rule 4A**

(46) 1992 c. 23.

(47) 1970 c. 31.

(48) 1932 c. 20.

(49) 1974 c. 39.

Status: Point in time view as at 06/04/2023.
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

F358 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

^{F359}**Rule 5**

Textual Amendments

F359 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

^{F360}**Rule 6**

Textual Amendments

F360 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

^{F361}**Rule 6A**

Textual Amendments

F361 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 ^{F362}...

^{F363}**Rule 6B**

Textual Amendments

F362 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)

F363 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.

^{F364}**Rule 7**

Textual Amendments

F364 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)

^{F365}**Rule 8**

Textual Amendments

F365 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)

^{F366}**Rule 9**

Textual Amendments

F366 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**

Local Government Finance Act 1982(52)

^{F367}**Rule 10**

Textual Amendments

F367 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)

^{F368}**Rule 11**

-
- (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 \(c. 52\)](#).
 - (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](#).

Status: Point in time view as at 06/04/2023.
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

F368 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)

^{F369}**Rule 12**

Textual Amendments

F369 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)

^{F370}**Rule 13**

Textual Amendments

F370 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**

[^{F371}**Postal Services Act 2000**]

^{F372}**Rule 15**

Textual Amendments

F371 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)**

F372 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)

^{F373}**Rule 16**

Textual Amendments

F373 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**

(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](#).
(56) [1977 c. 30](#).

[^{F374}Sex Discrimination Act 1975, Race Relations Act 1976, Disability Discrimination Act 1995 and Disability Rights Commission Act 1999]

^{F375}Rule 17

Textual Amendments

F374 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)

F375 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)

^{F376}Rule 18

Textual Amendments

F376 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)**

[^{F377}Communications Act 2003]

Rule 18A.—(1) CPR Rule 35.15 applies to proceedings under [^{F378}Part 4 of Schedule 3A to the Communications Act 2003].

Textual Amendments

F377 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)**

F378 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

^{F379}Rule 18B

Textual Amendments

F379 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)**

Status: Point in time view as at 06/04/2023.

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

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 [^{F380}County Court], [^{F381}the complainant] shall produce the order and a copy thereof to the [^{F382}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

F380 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](#))

F381 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](#))

F382 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)

^{F383}**Rule 20**

Textual Amendments

F383 [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](#)

(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 06/04/2023.

Changes to legislation:

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