
STATUTORY INSTRUMENTS

2000 No. 221

The Civil Procedure (Amendment) Rules 2000

Amendments to Civil Procedure Rules 1998

32. In CCR Order 25—

(a) in rule 3—

(i) for paragraph (3), substitute—

“(3) The order shall be served—

(a) by the judgment creditor delivering the order to the debtor personally; or

(b) by the court sending it by first-class post to the debtor—

(i) at his address for service; or

(ii) where CPR rule 6.5(5) applies, at the place of service specified in that rule.”; and

(ii) after paragraph (3), insert—

“(3A) Unless the judgment creditor otherwise requests, service shall be effected in accordance with paragraph (3)(b).

(3B) Where an order is served in accordance with paragraph (3)(b) the date of service shall, unless the contrary is shown, be deemed to be the seventh day after the date on which the order was sent to the debtor.

(3C) Where—

(a) an order has been sent by post in accordance with paragraph (3)(b) to the debtor’s address for service; and

(b) the order has been returned to the court office undelivered, the court shall send notice of non-service to the judgment creditor pursuant to CPR rule 6.11 together with a notice informing him that he may request bailiff service at that address.

(3D) If the appellant requests bailiff service under paragraph (3C), it shall be effected by a bailiff of the court—

(a) inserting the order, enclosed in an envelope addressed to the debtor, through the letter-box at the debtor’s address for service;

(b) delivering the order to some person, apparently not less than 16 years old, at the debtor’s address for service; or

(c) delivering the order to the debtor personally.”; and

(b) in rule 9—

(i) in paragraph (2)(b), for “leave of the court under RSC Order 11, rule 1”, substitute “permission of the court under CPR rule 6.20”; and

(ii) in paragraph (4), for “the notice of the day of hearing in accordance with Order 3, rule 6”, substitute “an order under Order 25, rule 3”.