
STATUTORY INSTRUMENTS

2009 No. 3390

The Civil Procedure (Amendment No.2) Rules 2009

Amendments to the Civil Procedure Rules 1998

5. In Part 6—

(a) in rule 6.2, for sub-paragraph (d) substitute—

“(d) “solicitor” includes any other person who, for the purposes of the Legal Services Act 2007, is an authorised person in relation to an activity which constitutes the conduct of litigation (within the meaning of that Act).”;

(b) in—

(i) rules 6.3(1)(b), 6.3(1)(d), 6.20(1)(b), 6.20(1)(d), 6.23(5) and 6.23(6); and

(ii) the parenthesis below rules 6.5(3) and 6.26,

for “Practice Direction A supplementing this Part” substitute “Practice Direction 6A”;

(c) in rule 6.6(1), after “rule” insert “6.7(2) or”;

(d) for rule 6.7 substitute—

“Service of the claim form on a solicitor within the jurisdiction or in any EEA state

6.7.—(1) Subject to rule 6.5(1), where—

(a) the defendant has given in writing the business address within the jurisdiction of a solicitor as an address at which the defendant may be served with the claim form; or

(b) a solicitor acting for the defendant has notified the claimant in writing that the solicitor is instructed by the defendant to accept service of the claim form on behalf of the defendant at a business address within the jurisdiction,

the claim form must be served at the business address of that solicitor.

(‘Solicitor’ has the extended meaning set out in rule 6.2(d).)

(2) Subject to rule 6.5(1) and the provisions of Section IV of this Part, where—

(a) the defendant has given in writing the business address within any EEA state of a solicitor as an address at which the defendant may be served with the claim form; or

(b) a solicitor acting for the defendant has notified the claimant in writing that the solicitor is instructed by the defendant to accept service of the claim form on behalf of the defendant at a business address within any EEA state,

the claim form must be served at the business address of that solicitor.

(‘Solicitor’ has the extended meaning set out in rule 6.2(d).)”

(e) in the parenthesis below rule 6.10(b), for “The practice direction supplementing Part 66” substitute “Practice Direction 66”;

(f) in rule 6.23(2)(a)—

- (i) after “address” insert “either”; and
- (ii) after “United Kingdom” insert “or any other EEA state”;
- (g) in—
 - (i) rules 6.35(5), 6.36, 6.37(1)(a), 6.37(2), 6.42(3) and 6.43(2)(c);
 - (ii) the parenthesis below rules 6.37(5) and 6.42(3); and
 - (iii) the first parenthesis below rule 6.41,for “Practice Direction B supplementing this Part” substitute “Practice Direction 6B”; and
- (h) in the parenthesis below rules 6.6(2) and 6.23(1), for “the practice direction supplementing Part 16” substitute “Practice Direction 16”.