

STATUTORY INSTRUMENTS

2017 No. 1035

The Court of Protection Rules 2017

PART 6

SERVICE OF DOCUMENTS

Service out of the jurisdiction

Service through foreign governments, judicial authorities and British Consular authorities

6.16.—(1) Where an application form or other document is to be served on a person in a Service Convention country, it may be served—

- (a) through the authority designated under the Service Convention in respect of that country; or
- (b) if the law of that country permits, through—
 - (i) the judicial authorities of that country; or
 - (ii) a British Consular authority in that country.

(2) Where an application form or other document is to be served on a person in a country which is not a Service Convention country, it may be served, if the law of that country so permits, through—

- (a) the government of that country, where that government is willing to serve it; or
- (b) a British Consular authority in that country.

(3) Where an application form or other document is to be served in—

- (a) any Commonwealth State which is not a Service Convention country;
- (b) the Isle of Man or the Channel Islands; or
- (c) any British Overseas Territory,

the methods of service permitted by paragraphs (1)(b) and (2) are not available and the person wishing to serve, or that person's agent, must effect service direct unless Practice Direction 6B provides otherwise.

^{F1}(4)

^{F1}... (A list of British Overseas Territories is reproduced in Practice Direction 6B.)

Textual Amendments

F1 Rule 6.16(4) and words omitted (31.12.2020) by virtue of [The Family Procedure Rules 2010 and Court of Protection Rules 2017 \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/517\)](#), regs. 1(1), **30(7)** (with reg. 33) (as amended by [S.I. 2020/1493](#), regs. 1(1), **8(2)(h)**); 2020 c. 1, **Sch. 5 para. 1(1)**

Changes to legislation:

There are currently no known outstanding effects for the The Court of Protection Rules 2017, Section 6.