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STATUTORY INSTRUMENTS

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**2020 No. 629**

**The Smart Meter Communication Licensee  
Administration (England and Wales) Rules 2020**

**PART 14**

Provisions of general effect

**CHAPTER 3**

Service of documents

**Application**

**170.**—(1) This Chapter sets out the requirements for service where a document is required to be served.

(2) Service is to be carried out in accordance with CPR Part 6 as that Part applies to either a “claim form” or a “document other than the claim form” except where this Chapter provides otherwise or the court otherwise directs.

(3) If for any reason it is impracticable to effect service as provided for in paragraph (2) then service may be effected in such other manner as the court may direct.

(4) For the purposes of the application by this Chapter of CPR Part 6—

(a) the following documents are to be treated as a “claim form”—

(i) an application commencing SMCL administration proceedings;

(ii) an application within SMCL administration proceedings against a respondent; and

(b) any other document is to be treated as a “document other than the claim form”.

(5) CPR Part 6 applies to the service of documents outside the jurisdiction with such modifications as the court may direct.

**Service of SMCL administration application**

**171.**—(1) An application to the court for an SMCL administration order must be served by delivering the documents as follows—

(a) on the SMCL at its registered office;

(b) on any other person at that person’s proper address.

(2) A person’s proper address is any which that person has previously notified as the address for service, but if the person has not notified such an address then the documents may be served at that person’s usual or last known address.

### **Service on joint SMCL administrators**

172. Service of a document on one of joint SMCL administrators is to be treated as service on all of them.

### **Service of orders staying proceedings**

173.—(1) This Rule applies where the court makes an order staying an action, execution or other legal process against the property of the SMCL.

(2) The applicant must serve the order.

(3) The order may be served within the jurisdiction by serving a sealed copy at the address for service of—

- (a) the claimant; or
- (b) another party having the carriage of the proceedings to be stayed.

### **Certificate of service**

174.—(1) The service of an application must be verified by a certificate of service.

(2) The certificate of service must—

- (a) identify the application;
- (b) specify—
  - (i) the name and registered number of the SMCL;
  - (ii) the address of the registered office of the SMCL;
  - (iii) the name of the applicant;
  - (iv) the court in which the application was made and the court reference number;
  - (v) the date of the application;
  - (vi) whether the copy served was a sealed copy;
  - (vii) the person served; and
  - (viii) the manner of service and the date of service; and
- (c) be verified by a statement of truth.

(3) Where the court has directed that service be effected in a particular manner, the certificate must be accompanied by a sealed copy of the order directing such manner of service.