
STATUTORY INSTRUMENTS

2021 No. 117

The Civil Procedure (Amendment) Rules 2021

Amendment of Part 83

19.—(1) In the list of contents at the beginning of Part 83—

- (a) omit the entry for rule 83.2A;
- (b) after the entry for rule 83.14 insert—

“Rule 83.14A

Application for permission to issue writ of sequestration”; and

(c) in the entry for rule 83.27 for “committal” substitute “contempt proceedings”.

(2) After rule 83.1(2) insert—

“(3) This Part does not apply where an application is made seeking confiscation of assets as a punishment for contempt of court. Any such application must be made under Part 81 and not under this Part.”.

(3) At the end of rule 83.2(3)(e) omit “or”.

(4) At the end of rule 83.2(3)(f) for the full stop substitute—

“; or

(g) an application is made for a writ of sequestration.

(Rule 83.14A makes provision for applications for permission to issue a writ of sequestration.)”.

(5) Rule 83.2A is revoked.

(6) After rule 83.14 insert—

“Application for permission to issue writ of sequestration

83.14A.—(1) An application for permission to issue a writ of sequestration must be made—

- (a) to a judge of the Division of the High Court in which the case is proceeding or, in any other case, to a judge of the Queen’s Bench Division;
- (b) by filing an application notice under Part 23.

(2) The application notice must set out the grounds of the application and must be supported by evidence.

(3) The supporting evidence must be by affidavit or affirmation unless and to the extent that the court directs otherwise.

(4) The application must be served personally on the other party or parties unless the court directs otherwise in accordance with Part 6.”.

(7) In rule 83.19(4)(b), for “under either rule 39.3(3) or rule 13.4” substitute “to set aside or vary the judgment”.

(8) For rule 83.27 substitute—

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

“Saving for enforcement by contempt proceedings

83.27. Nothing in rules 83.23 and 83.26 prejudices any right to bring contempt proceedings under Part 81.”.