
STATUTORY INSTRUMENTS

1964 No. 1755

The Ecclesiastical Jurisdiction (Discipline) Rules 1964

Service and lodging of documents

58.—(1) Where any of these rules requires the service of any document on the accused to be personal service, service shall be effected by leaving a copy of the document with the accused personally, and an affidavit of such service shall be lodged with the registrar within three days after it has been effected:

Provided that—

- (a) if service of the document is acknowledged in writing by the accused or his solicitor, and a copy of the acknowledgment is lodged with the registrar, the document shall be deemed to have been personally served on the accused;
- (b) if, on an application made in writing to the registrar supported by affidavit, the registrar is satisfied that it is impracticable to serve the document personally, the registrar may grant leave to effect substituted service, that is to say, to take such steps as the registrar may direct to bring the document to the notice of the person to be served, and the substituted service shall be deemed to be personal service.

(2) Service of any document, not being a document which by virtue of any of these rules is required to be served personally, may be effected:—

- (a) by leaving the document at the proper address of the person to be served, or
- (b) by sending it by the recorded delivery service to that address, or
- (c) in such other manner as the registrar may direct.

(3) An affidavit of service, whether it be personal service or service under the last foregoing paragraph, must state by whom the document was served, the date on which it was served, and where and how it was served.

(4) For the purposes of this rule, and of section 26 of the Interpretation Act 1889 (as applied by the Interpretation Measure 1925) in its application to this rule, the proper address of any person on whom the document is to be served under this rule shall be the address for service of that person, but if at the time when service is effected that person has no address for service, his proper address for the purposes aforesaid shall be—

- (a) the business address of the solicitor (if any) who is acting for him in the proceedings, or
- (b) his usual or last known address.

(5) Where a complaint is laid by a number of persons, the service of one copy of a document at the address for service specified in the complaint shall be deemed to be service on all those persons.

59. Any document required by these rules to be lodged with a registrar may be lodged by delivering the document at the office of the registrar, or by sending it by post properly addressed to the registrar at his office.