
STATUTORY INSTRUMENTS

1996 No. 2892 (L.10)

SUPREME COURT OF ENGLAND AND WALES

The Rules of the Supreme Court (Amendment) 1996

| | | |
|--|---------|---------------------------|
| <i>Made</i> | - - - - | <i>18th November 1996</i> |
| <i>Laid before Parliament</i> | | <i>19th November 1996</i> |
| <i>Coming into force</i> | | |
| <i>As to all provisions except rule 17</i> | | <i>16th December 1996</i> |
| <i>Rule 17</i> | | <i>1st March 1997</i> |

We, the Supreme Court Rule Committee, having power under section 85 of the Supreme Court Act 1981⁽¹⁾ to make rules of court under section 84 of that Act for the purpose of regulating and prescribing the practice and procedure to be followed in the Supreme Court, hereby exercise those powers as follows—

Citation, commencement and interpretation

1.—(1) These Rules may be cited as the Rules of the Supreme Court (Amendment) 1996 and shall come into force on 16th December 1996, except for rule 17 which shall come into force on 1st March 1997.

(2) In these Rules, an Order referred to by number means the Order so numbered in the Rules of the Supreme Court 1965⁽²⁾ and a reference to Appendix A is a reference to Appendix A to those Rules.

Service out of the jurisdiction

2. Order 6, rule 7(1) shall be amended as follows—

- (a) after the words “to be served”, there shall be inserted the words “on a defendant”;
- (b) after the words “be issued”, there shall be inserted the words “for such service”;
- (c) after the words in sub-paragraph (a) “each claim”, there shall be inserted the words “against that defendant”;

(1) 1981 c. 54; section 85 was amended by the Courts and Legal Services Act 1990 (c. 41), Schedule 18, paragraph 36(1).

(2) S.I.1965/1776; the relevant amending instruments are S.I. 1966/1514, 1968/1244, 1970/1208, 1971/1269, 1972/1194, 1973/1384, 1977/1995, 1979/1542, 1716, 1725, 1980/1187, 1660, 1908, 2000, 1983/1181, 1986/632, 1187, 2289, 1987/1423, 1989/177, 2427, 1990/492, 1689, 2599, 1991/1329, 2671, 1992/1907, 1993/2133, 2760, 1994/1975, 1995/2206 and 3316.

- (d) after the words in sub-paragraph (b) “by the writ” and the words “to hear and determine the claim”, there shall be inserted the words “against that defendant”.

3. Order 11, rule 1(2) shall be amended as follows—

- (a) after the words “the jurisdiction”, there shall be inserted the words “on a defendant”;
 (b) after the words “each claim” there shall be inserted the words “against that defendant”.

Duration and renewal of writs and concurrent writs

4. For Order 6, rule 8(1) there shall be substituted the following—

“8.—(1) For the purposes of service, a writ (other than a concurrent writ) is valid in the first instance—

- (a) if an Admiralty writ in rem, for 12 months;
 (b) where the writ has been issued either with leave to issue and serve the same out of the jurisdiction, or for service out of the jurisdiction and duly indorsed as complying with Order 6, rule 7(1)(a) and (b), for 6 months;
 (c) in any other case, for 4 months,

beginning with the date of issue.

- (a) (1A) A concurrent writ is valid in the first instance for the period of validity of the original writ which is unexpired at the date of issue of the concurrent writ.
 (b) If an original writ has been issued not for service out of the jurisdiction, then provided a concurrent writ for service out of the jurisdiction (whether with leave of the Court or following indorsement as complying with Order 6, rule 7(1)(a) and (b)) has been issued within the period of 4 months from the date of issue of the original writ, such concurrent writ shall in the first instance be valid for service out of the jurisdiction for a period of 6 months beginning with the date of issue of the original writ.”.

Interim payments

5. For Order 29, rule 11(2)(a) there shall be substituted the following—

- “(a) a person who is insured in respect of the plaintiff’s claim or whose liability will be met by an insurer under section 151 of the Road Traffic Act 1988(3) or as insurer concerned under the Motor Insurers’ Bureau agreement;”.

Goods seized in execution

6. After Order 17, rule 2 there shall be inserted the following new rule—

“Claim in respect of goods protected from seizure

2A.—(1) Where a judgment debtor whose goods have been seized, or are intended to be seized, by a sheriff under a writ of execution claims that such goods are not liable to execution by virtue of section 138(3A) of the Act(4), he must within 5 days of the seizure give notice in writing to the sheriff identifying all those goods in respect of which he makes such a claim and the grounds of such claim in respect of each item.

(3) 1988 c. 52; section 151 was amended by the Road Traffic Act 1991 (c. 40), Schedule 8.

(4) Section 138(3A) of the Supreme Court Act 1981 (c. 54) was inserted by section 15(1) of the Courts and Legal Services Act 1990 (c. 41), Section 15(1).

(2) Upon receipt of a notice of claim under paragraph (1), the sheriff must forthwith give notice thereof to the execution creditor and to any person who has made a claim to, or in respect of, the goods under rule 2(1) and the execution creditor and any person who has made a claim must, within 7 days of receipt of such notice, inform the sheriff in writing whether he admits or disputes the judgment debtor's claim in respect of each item.

(3) The sheriff shall withdraw from possession of any goods in respect of which the judgment debtor's claim is admitted or if the execution creditor or any person claiming under rule 2(1) fails to notify him in accordance with paragraph (2) and the sheriff shall so inform the parties in writing.

(4) Where the sheriff receives notice from

(a) the execution creditor or

(b) any such person to whom notice was given under paragraph (2),

that the claim or any part thereof is disputed, he must forthwith seek the directions of the Court and may include therein an application for an order restraining the bringing of any action against him for, or in respect of, his having seized any of those goods or his having failed so to do.

(5) The sheriff's application for directions under paragraph (4) shall be made by summons in the action and, on the hearing of the application, the Court may

(a) determine the judgment debtor's claim summarily or

(b) give such directions for the determination of any issue raised by such claim as may be just.

(6) A master and a district judge of a district registry shall have power to make an order of the kind referred to in paragraph (4) and the reference to master shall be construed in accordance with rule 4."

7. The following shall stand as Order 45, rule 2—

"Notice of seizure

2. When first executing a writ of fieri facias, the sheriff or his officer shall deliver to the debtor or leave at each place where execution is levied a notice in Form No.55 in Appendix A informing the debtor of the execution."

8. The notes to forms No.53, 54, 56, 57 and 58 in Appendix A shall be omitted.

9. In Appendix A, after Form No.54, there shall be inserted the following new form—

"No.55

Notice of Seizure

IN THE HIGH COURT OF JUSTICE ACTION NO
QUEEN'S BENCH/CHANCERY DIVISION Sheriff's Reference No.
... DISTRICT REGISTRY
BETWEEN

Address of Premises:

THIS NOTICE is left by an Officer of the Sheriff of

TAKE NOTICE:

1. A formal seizure of the goods at the above address has been made under a Writ of Execution directed to the Sheriff by the High Court. The Sheriff accordingly has conduct of the execution.

2. The goods seized are now in the custody of the Sheriff, as an officer of the Court, and must not be removed, sold or otherwise disposed of. This will remain the position until the sum due under the execution has been paid in full. The only exceptions are goods of the type referred to in section 138(3A) of the Supreme Court Act 1981. (This section is set out overleaf). Enclosed with this NOTICE is a WALKING POSSESSION AGREEMENT in the form prescribed by law. You must read this agreement and sign it to acknowledge the seizure and hand it to the Sheriff's Officer attending your premises or return it to this Office. Failure to sign the Walking Possession Agreement may result in the removal of the goods seized without further notice pending disposal by public auction.

3. The judgment debt of £ and £ costs of execution are due under the Writ [together with £ interest and Sheriff's Charges] or [You must be in touch IMMEDIATELY with this Office so that you can be told the exact amount due for interest and Sheriff's charges].

4. Payment must be made to this Office in CASH or by BANK DRAFT. Payment by cheque may be accepted if the Sheriff agrees but may be subject to such charges (if any) as are made by his bankers for special clearance.

5. If payment is not made and the execution proceeds, the Sheriff's officers or their agents will attend and remove the goods seized for sale by public auction or as the Court may direct.

6. If any of the goods seized are not your property, you must tell the owner about the seizure and he must write to the Sheriff claiming the goods.

7. If any of the goods seized are the subject of a hire purchase or any similar agreement, you must send full details in writing to the Sheriff.

8. If any of the goods seized are not liable to seizure by virtue of section 138(3A) of the Supreme Court Act 1981 (set out overleaf) this Office must be sent full details in writing within 5 days of the seizure or within such greater period as the Court may, on your application, allow.

9. You must inform this Office if another bailiff seizes, levies on or distrains the goods to pay another debt and you must inform that bailiff of this seizure.

10. You must also inform this Office of any Petition in Bankruptcy or application to liquidate a limited company that may have been or is subsequently served on you.

11. The goods seized are all those referred to at 2 above but, in case there is any doubt, the following items ARE INCLUDED IN THE SEIZURE:

... ..

... ..

... ..

Dated the day of 199 Signed:

Address:

[Reverse of form:

Section 138(3A) of the Supreme Court Act 1981 provides as follows—

“(3A) Every sheriff or officer executing any writ of execution issued from the High Court against the goods of any person may by virtue of it seize—

- (a) any of that person’s goods except—
 - (i) such tools, books, vehicles and other items of equipment as are necessary to that person for use personally by him in his employment, business or vocation;
 - (ii) such clothing, bedding, furniture, household equipment and provisions as are necessary for satisfying the basic domestic needs of that person and his family; and
- (b) any money, banknotes, bills of exchange, promissory notes, bonds, specialties or securities for money belonging to that person.”.

Costs

10. Order 62, rule 7(2) shall be amended by omitting the words “and shall not be taxed”.

11. Order 62, rule 33(3) shall be amended by inserting, after the words “and must”, the words “at the same time”.

Trade Marks and patents

12. Order 100, rule 1 shall be amended by inserting, after the definition of “the Olympic Symbol Act”, the following:

““the Olympic Symbol Regulations” means the Olympic Association Right (Infringement Proceedings) Regulations 1995(5)

13. Order 100, rule 2 shall be amended by inserting after the words “the Olympic Symbol Act” the words “and Regulations”.

14. Order 100, rule 3 shall be amended as follows—

- (a) the title to that rule shall be amended by inserting after the words “the Olympic Symbol Act” the words “and the Olympic Symbol Regulations”;
- (b) paragraph (2) shall be amended by inserting after the words “the said Acts” the words “and the Olympic Symbol Regulations”;
- (c) paragraph (7) shall be amended by inserting after the words “the 1994 Act” the words “or under regulation 3 or regulation 5 of the Olympic Symbol Regulations”;
- (d) paragraph (8) shall be amended by inserting after the words “19 of the 1994 Act” the words “or under regulation 5 of the Olympic Symbol Regulations” and after the words “the said section of the 1994 Act” the words “, the said regulation of the Olympic Symbol Regulations”.

15. For Order 104, rule 9 there shall be substituted the following—

“**9.** Rules 10 to 14 of this Order shall apply to any proceedings assigned to the Chancery Division and taken by the Court by rule 2 of this Order.”.

Miscellaneous amendments

16. Order 64, rule 7(1)(c) shall be omitted.

17. In Appendix A, for Forms No.14 and 15, there shall be substituted the forms in the Schedule to these Rules.

18. Order 91, rule 6(1) and Order 94, rules 8(1) and 9(1) shall be amended by substituting for the words “section 13(1) of the Tribunals and Inquiries Act 1971⁽⁶⁾” the words “section 11(1) of the Tribunals and Inquiries Act 1992⁽⁷⁾”.

19. Order 94, rule 8(2)(b) shall be amended by substituting for the words “paragraph 10 of Schedule 1 to the said Act of 1971” the words “paragraph 16 of Schedule 1 to the said Act of 1992”.

20. In Form 23 in Appendix A for the words “paragraph 12(2)(a)(i) of Schedule 4 to the Social Security Act 1989⁽⁸⁾” there shall be substituted the words “section 93 of the Social Security Administration Act 1992⁽⁹⁾”.

*Mackay of Clashfern, C.
Bingham of Cornhill, C.J.,
Stephen Brown, P.,
Richard Scott, V-C.,
Rattee, J.,
Colman, J.,
Bell, J.,
J.A. Wall.*

Dated 18th November 1996

⁽⁶⁾ 1971 c. 62.
⁽⁷⁾ 1992 c. 53.
⁽⁸⁾ 1989 c. 24.
⁽⁹⁾ 1992 c. 5.

SCHEDULE

Rule 17

Acknowledgment of Service of
Writ of Summons (O.12 r.3)

No.14

Guidance notes for the Plaintiff

Read these notes carefully

The notes explain what you have to do before this form is sent to ("served" on) the defendant.

Form heading

You must fill in the heading of the form with:

- the action number,
- the name of the appropriate High Court Division, for example, Queen's Bench Division, Queen's Bench Division (Commercial Court), Queen's Bench Division (Admiralty Court) or Chancery Division, or
- if the writ issued in a District Registry, the name of the District Registry, and
- the names of the parties in the action (the "title") as they appear on the writ.

Part 3

If the claim is not for a fixed amount, you must delete part 3 and the notes relating to it.

Part 4

You must delete part 4 and the notes relating to it if the writ was:

- issued at any office in the Royal Courts of Justice (Strand, London), or
- issued at the District Registry for the area where the defendant lives, carries on business, or, if a limited company, has its registered office **and**
- the plaintiff's cause of action arose in that area.

Part 5 Please leave blank for defendant to complete

Part 6

Return address

Write in the full address of the District Registry or office in the Royal Courts of Justice to which the form should be returned

On the reverse of acknowledgment form (Plaintiff's (Plaintiff's solicitor's) details.)

Fill in your name and the address to which papers about the case should be sent.

Detach these guidance notes before the form is sent to the defendant.

Perforations

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Acknowledgment of Service of Writ of Summons

Guidance notes for the Defendant

Read these notes carefully.

They will help you to fill in the form attached and tell you what other steps you need to take.

Act quickly.

You have only a limited time to return the form. If you do not return the form promptly, the plaintiff may obtain a court order against you. If the claim is for money, you could be ordered to pay the money immediately (called 'entering judgment by default').

Help and advice

You can get help and legal advice from:

- a solicitor (who can fill in the form and return it to the court for you) or
- a Citizens' Advice Bureau.

They will also tell you if you qualify for help with your legal costs ('legal aid').

Staff at any District Registry or office in the Royal Courts of Justice (Strand, London) will help you to fill in the form.

Time for returning the form

You have **14 days** from the day you receive the writ of summons to **return the completed form to the court**. The day on which the 14 day period begins depends on how you received the writ (how it was "served" on you).

If the writ was:

- handed to you personally, the 14 days begins on the day you were given the writ;
- delivered by post, the 14 days begins 7 days from the date of the postmark;
- put through your letter box, the 14 days begins 7 days from the day this was done.

If you are a limited company and the writ was delivered by post, the 14 days begins:

- on the second working day from the date of the postmark if first class post was used;
- on the fourth working day from the date of the postmark if the second class post was used.

If the writ was served on you at an address outside England and Wales, the writ will tell you how long you have to return the acknowledgement form.

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Filling in the form

Read these notes carefully.

They will help you to fill in the form opposite and tell you what other steps you need to take.

You can use the same form of acknowledgement for two (or more) defendants provided the form makes this clear and they all wish to reply in the same way.

If you are **under 18** or suffering certain **mental disorders** ('under disability') you must ask another person to act for you. That person can be any friend or relative who is over 18 and not a co-defendant in the same claim. But they must act on your behalf with the help of a solicitor. **The solicitor must fill in the form of acknowledgment.**

Part 1 Write in your full name. If your name was incorrect on the writ, add the words "sued as" followed by the name stated on the writ.

If you are:

- a person trading in a name other than your own, write in your name followed by the words "trading as" and the name under which you trade;
- a partner in a firm, write in your name followed by the words "a partner in the firm of" and the name of the firm. **If you are sued as a partner but are not, say so.**

Part 2 Tick the appropriate box to show whether you intend to contest all, or part, of the claim. **If you contest any part of the claim, read note 2 below on preparing your defence.**

Part 3 Should only be filled in if the plaintiff is claiming a fixed amount of money and you do not contest the claim.

Part 3 Tick the appropriate box to show whether you intend to ask the court to make an order preventing the plaintiff from enforcing any order for you to pay the amount claimed (called asking for a "stay of execution"). A stay of execution will allow you to pay the debt, perhaps by instalments. **If you wish to apply for a stay of execution, read note 3 below. This tells you how to make your application.**

Part 4 can only be filled in:

- if the writ of summons was **not** issued in the Royal Courts of Justice or the District Registry for the area where you live, carry on business or have your registered office, **and**
- the cause of the plaintiff's action, or part of it, did not arise in that area.

Part 4 Tick the appropriate box to show whether you wish the case to be transferred to the Royal Courts of Justice (London) or to another District Registry. If you are unsure which is the District Registry for your area, staff at the District Registry which issued the writ will tell you. If the case is transferred, you will be told when this has happened and what your new case number is. The plaintiff may object to the transfer; if so, there may be a hearing.

Part 5 Unless your solicitor is filling in the form on your behalf, you must sign the form and give an address to which court documents should be sent, and any reference, telephone or fax numbers. If you are being sued as an individual (that is in your own name rather than that of your firm or company) the address you give must be one in England and Wales. If you are a **limited company**, the form may be filled in by an **authorised officer** who must state his position in that company, or a solicitor. A solicitor may give his firm's address; an authorised officer must give the registered or principal office of the company.

What to do when you have filled in the form.

1. Return the form

Detach these guidance notes and send or take the acknowledgment form to the office in the Royal Courts of Justice or the District Registry which issued the writ.

2. Preparing your defence

If you contest the plaintiff's claim, you must set out your reasons for doing so in writing (called a "defence"). You must send or take a copy of your defence to the plaintiff (or the plaintiff's solicitor). The time in which you have to do this will depend on whether you were given full particulars of the plaintiff's claim (called a "statement of claim") with the writ.

If a statement of claim was **included** in the writ, or **accompanied** it, you must serve your defence within 14 days after the time for acknowledging service of the writ.

If a statement of claim is served on you **after** you received the writ, you must serve your defence 14 days from the date you received the statement of claim.

3. Applying for a stay of execution

If you agree that you owe the plaintiff the amount of money claimed but want a stay of execution to allow you time to pay, you must issue a summons asking the court to make this order. Your summons must be accompanied by a sworn statement (an "affidavit") setting out details of your income and liabilities and any offer of payment you are making, for example, by instalments.

Copies of the form of summons and affidavit can be obtained from any firm of law stationers.

You must issue your summons at the appropriate office within 14 days of the court receiving your form of acknowledgment of service.

Perforations

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Acknowledgment of service of writ of summons

In the High Court of Justice

Division

District Registry

19

NO

Use black ink and capital letters

Plaintiff

Defendant

Part 1 (Your) (Defendant's)
full name

Part 2 (Do you) (Does the defendant)
intend to contest

the whole of the plaintiff's claim?

☐

part of the plaintiff's claim?

☐

none of the plaintiff's claim?

☐

Part 3 If you (the defendant) have said that you do not intend to
contest the whole, or part, of the plaintiff's claim will you
(the defendant) be asking the court for a stay of execution?

Yes ☐

No ☐

Part 4 (Do you) (Does the defendant) wish to have the case transferred to:

the Royal Courts of Justice?

Yes ☐

No ☐

another District Registry?

Yes ☐

No ☐

If to a District Registry, say which one

Part 5 I acknowledge that (I have) (the defendant has) been served with a copy of the writ of summons.

Signed _____ Date _____
Defendant (Solicitor for the defendant) (Authorised officer)

Address to which papers about this case should be sent.

Solicitor's
ref.

Telephone
no.

Fax
no.

Part 6 When completed this form should be returned to:

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Plaintiff's (Plaintiff's solicitor's) details

Address to which papers about this case should be sent.

Solicitor's
ref.

Telephone
no.

Fax
no.

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No.15

Acknowledgment of Service of
Originating Summons (O.10 r.5)

Guidance notes for the Plaintiff

Read these notes carefully

The notes explain what you have to do before this form is sent to ("served" on) the defendant.

Form heading

You must fill in the heading of the form with:

- the action number,
- the name of the appropriate High Court Division, for example, Queen's Bench Division, Queen's Bench Division (Commercial Court), Queen's Bench Division (Admiralty Court) or Chancery Division, Family Division or
- if the originating summons was issued in a District Registry, the name of the District Registry, and
- the names of the parties in the action (the "title") as they appear on the writ.

Part 3 Please leave blank for defendant to complete

Part 4

Return address

Write in the full address of the District Registry, Principal Registry of the Family Division or office in the Royal Courts of Justice to which the form should be returned.

On the reverse of acknowledgment form (Plaintiff's (Plaintiff's solicitor's) details.)

Fill in your name and the address to which papers about the case should be sent.

Detach these guidance notes before the form is sent to the defendant.

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**Acknowledgment of Service of
Originating Summons**

Guidance notes for the Defendant

Read these notes carefully.

They will help you to fill in the form attached and tell you what other steps you need to take.

Act quickly.

You have only a limited time to return the form.

Help and advice

You can get help and legal advice from:

- a solicitor, or
- a Citizens' Advice Bureau.

They will also tell you if you qualify for help with your legal costs ("legal aid").

Staff at any District Registry, the Principal Registry or office in the Royal Courts of Justice (Strand, London) will help you to fill in the form.

Time for returning the form

You have **14 days** from the day you receive the originating summons to **return the completed form to the court**. The day on which the 14 day period begins depends on how you received the summons (how it was "served" on you).

If the summons was:

- handed to you personally, the 14 days begins on the day you were given the summons;
- delivered by post, the 14 days begins 7 days from the date of the postmark;
- put through your letter box, the 14 days begins 7 days from the day this was done.

If you are a limited company and the summons was delivered by post, the 14 days begins:

- on the second working day from the date of the postmark if first class post was used;
- on the fourth working day from the date of the postmark if the second class post was used.

Note: You may have less than 14 days to return the form in certain kinds of proceedings where an early hearing date has been fixed. If in doubt, seek advice.

If the summons was served on you at an address outside England and Wales, the summons will tell you how long you have to return the acknowledgement form.

Perforations

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Filling in the form

Read these notes carefully

They will help you to fill in the form opposite and tell you what other steps you need to take.

You can use the same form of acknowledgment for two (or more) defendants provided the form makes this clear and they all wish to reply in the same way.

If you are **under 18 or suffering certain mental disorders** ('under disability') you must ask another person to act for you. That person can be any friend or relative who is over 18 and not a co-defendant in the same claim. But they must act on your behalf with the help of a solicitor. **The solicitor must fill in the form of acknowledgment.**

Part 1 Write in your full name. If your name was incorrect on the summons, add the words "sued as" followed by the name stated on the summons.

If you are:

- a person trading in a name other than your own, write in your name followed by the words "trading as" and the name under which you trade;
- a partner in a firm, write in your name followed by the words "a partner in the firm of" and the name of the firm. **If you are sued as a partner but are not, say so.**

Part 2 Tick the appropriate box to show whether you intend to contest all, or part, of the claim. **If you contest any part of the claim, read note 2 on preparing your defence.**

Part 3 Unless your solicitor is filling in the form on your behalf, you must sign the form and give an address to which court documents should be sent, and any reference, telephone or fax numbers. If you are being sued as an individual (that is in your own name rather than of your firm or company) the address you give must be one in England and Wales. If you are a **limited company**, the form may be filled in by an **authorised officer** who must state his position in that company, or a solicitor. A solicitor may give his firm's address, an authorised officer must give the registered or principal office of the company.

Perforations

What to do when you have filled in the form.

1. Return the form

Detach these guidance notes and send or take the acknowledgment form to the office in the Royal Courts of Justice, the Principal Registry or the District Registry which issued the summons.

2. Preparing your defence

If you wish to object to the plaintiff's claim in writing (that is, by an affidavit) you must send or give a copy of the affidavit to the other parties and file a copy at the court. You must serve your affidavit within 28 days from the date you received the plaintiff's affidavit in support of his claim.

Note: You may have less than 28 days to serve the affidavit in certain kinds of proceeding where an early hearing date has been fixed. If in doubt, seek advice.

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Acknowledgment of service of originating summons

In the High Court of Justice

19

NO

Division

District Registry

Use black ink and capital letters

Plaintiff

Defendant

Part 1 (Your) (Defendant's)
full name

Part 2 (Do you) (Does the defendant) intend to contest:

the whole of the plaintiff's claim? ☐

part of the plaintiff's claim? ☐

none of the plaintiff's claim? ☐

Part 3 I acknowledge that (I have) (the defendant has) been served with a copy of the originating summons.

Signed _____ Date _____
Defendant (Solicitor for the defendant) (Authorised officer)

Address to which papers about this case should be sent.

Solicitor's ref. Telephone no. Fax no.

Part 4 When completed this form should be returned to:

Perforations

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Plaintiff's (Plaintiff's solicitor's) details

Address to which papers about this case should be sent.

Solicitor's
ref.

Telephone
no.

Fax
no.

Perforations

EXPLANATORY NOTE

(This note is not part of the Rules)

These Rules amend the Rules of the Supreme Court so as—

- (a) to make it clear that the requirements to be satisfied where service is to be effected out of the jurisdiction in a case where there are several defendants some of whom are abroad, apply according to the claim made against each defendant so that, service out of the jurisdiction may be effected on one defendant without leave provided each claim against him satisfies the requirements irrespective of whether the claims against the other defendants satisfy those requirements (*rules 2 and 3*);
- (b) to clarify the rules regarding the period of validity of original and concurrent writs (*rule 4*);
- (c) to allow an interim payment to be made where the plaintiff's liability would be met by an insurer under the MIB agreement (*rule 5*);
- (d) to provide an expedited procedure to enable sheriffs executing a writ of fi.fa. to obtain a court ruling as to whether goods are exempt from execution as tools of trade or "necessaries" (*rules 6 to 9*);

- (e) to clarify the rules regarding the assessment of costs of a receiver (*rule 10*);
- (f) to prescribe a time limit for delivery to the opposing parties to a taxation of a copy of objections (*rule 11*);
- (g) to add to Order 100 references to Regulations made under the Olympic Symbol etc (Protection) Act 1995 ([1995 c. 32](#)) and to make a minor amendment to Order 104 (*rules 12 to 15*);
- (h) to remove the provision which requires court offices to close on Christmas Eve (*rule 16*);
 - (i) to substitute new forms of acknowledgement of service (*rule 17*);
- (j) to replace references to statutes which have been repealed (*rules 18 to 20*).