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STATUTORY INSTRUMENTS

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**1998 No. 3132**

The Civil Procedure Rules 1998

[<sup>F1</sup>PART 83

Writs and Warrants – General Provisions

*SECTION IV*

*Warrants*

[<sup>F1</sup>Warrants of delivery

**83.23.**—(1) In this rule “warrant of specific delivery” means a warrant to recover goods without alternative provision for recovery of their value.

(2) Except where an act or rule provides otherwise, a judgment or order for the delivery of any goods will be enforceable by warrant of delivery in accordance with this rule.

(3) If the judgment or order does not give the person against whom it was given or made the alternative of paying the value of the goods, it may be enforced by a warrant of specific delivery.

(4) If the judgment or order is for the delivery of the goods or payment of their value, it may be enforced by a warrant of delivery to recover the goods or their value.

(5) Where a warrant of delivery is issued, the creditor will be entitled, by the same or a separate warrant, to execution against the debtor’s goods for any money payable under the judgment or order which is to be enforced by the warrant of delivery.

(6) Where—

(a) a judgment or order is given or made for the delivery of goods or payment of their value;  
and

(b) a warrant is issued to recover the goods or their value,

money paid into court under the warrant will be appropriated first to any sum of money and costs awarded.]

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**Textual Amendments**

**F1** Pt. 83 inserted (6.4.2014) by [The Civil Procedure \(Amendment\) Rules 2014 \(S.I. 2014/407\)](#), rule 2(3), [Sch.](#) (with rule 41)

**Changes to legislation:**

There are currently no known outstanding effects for the The Civil Procedure Rules 1998, Section 83.23.