

STATUTORY INSTRUMENTS

1998 No. 3132

The Civil Procedure Rules 1998

[^{F1}PART 73

CHARGING ORDERS, STOP ORDERS AND STOP NOTICES

SECTION II—STOP ORDERS

[^{F1}Application for stop order

73.12.—(1) The High Court may make—

- (a) a stop order relating to funds in court, on the application of any person—
 - (i) who has a mortgage or charge on the interest of any person in the funds; or
 - (ii) to whom that interest has been assigned; or
 - (iii) who is a judgment creditor of the person entitled to that interest; or
 - (b) a stop order relating to securities other than securities held in court, on the application of any person claiming to be beneficially entitled to an interest in the securities.
- (2) An application for a stop order must be made—
- (a) by application notice in existing proceedings; or
 - (b) by Part 8 claim form if there are no existing proceedings in the High Court.
- (3) The application notice or claim form must be served on—
- (a) every person whose interest may be affected by the order applied for; and
 - (b) either—
 - (i) the Accountant General at the Court Funds Office, if the application relates to funds in court; or
 - (ii) the person specified in rule [^{F2}73.7(7)(f)], if the application relates to securities other than securities held in court.]

Textual Amendments

- F1** Pt. 73 inserted (25.3.2002) by [The Civil Procedure \(Amendment No. 4\) Rules 2001 \(S.I. 2001/2792\)](#), [rule 1\(c\)](#), [Sch. 4](#) (with savings in [rule 24](#) and [S.I. 2001/4015](#), [rule 43\(2\)](#))
- F2** Word in [rule 73.12\(3\)\(b\)\(ii\)](#) substituted (6.4.2016) by [The Civil Procedure \(Amendment\) Rules 2016 \(S.I. 2016/234\)](#), [rules 2](#), [16](#) (with [rule 24](#))

Changes to legislation:

There are currently no known outstanding effects for the The Civil Procedure Rules 1998, Section 73.12.