
STATUTORY INSTRUMENTS

2007 No. 3543

The Civil Procedure (Amendment No.2) Rules 2007

Amendments to the Civil Procedure Rules 1998

9. In Part 75—

- (a) in rule 75.1—
 - (i) in paragraph (1), after “practice direction” insert “supplementing this Part”;
 - (ii) after paragraph (1)(b), insert—

“(Rule 21.1(1)(c) provides that Part 21 (children and protected parties) does not apply to proceedings under this Part where one of the parties is a child.)”;
 - (iii) in paragraph (2)(b)(i), for “he” substitute “the bailiff”;
 - (iv) at the end of paragraph (2)(b)(iii), for “.” substitute “,”;
 - (v) in paragraph (2)(d)(i), after “statutory declaration” insert “or witness statement”; and
 - (vi) in paragraph (2)(f), after “practice direction” insert “supplementing this Part”;
- (b) in rule 75.2(2)(a), for “shall be” substitute “is”;
- (c) in rule 75.3—
 - (i) in paragraph (2)(c)(v), after “practice direction” insert “supplementing this Part”;
 - (ii) in paragraph (3), for “sealing” substitute “registering”;
 - (iii) for paragraph (4) substitute—

“(4) On receipt of a registered request the authority may draw up the order and must—

 - (a) insert in the order the date by which the respondent must either—
 - (i) comply with the order; or
 - (ii) file a statutory declaration or witness statement; and
 - (b) attach to the order a form of statutory declaration or witness statement for the respondent’s use.”;
 - (iv) for paragraph (5) substitute—

“(5) The authority must serve in accordance with Part 6 the order (and the form of statutory declaration or witness statement) on the respondent within 15 days of the date on which the request is registered by the court.”; and
 - (v) revoke paragraph (6);
- (d) in rule 75.5(1), after “practice direction” insert “supplementing this Part”;
- (e) in rule 75.6(b), for “rules 1 and 9” substitute “rule 1”;
- (f) in rule 75.8—
 - (i) after “the filing of a statutory declaration” insert “or a witness statement”; and
 - (ii) in paragraph (a), after “statutory declaration” insert “or witness statement”;
- (g) in rule 75.9, for “If an” substitute “Where the”;

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- (h) in rule 75.10(i) for “reasons” substitute “reason why”; and
- (i) in rule 75.11—
 - (i) for “If” substitute “Where”;
 - (ii) for “an” substitute “the”; and
 - (iii) for “defendant” substitute “respondent”.