
STATUTORY INSTRUMENTS

2008 No. 3327

The Civil Procedure (Amendment No.3) Rules 2008

Amendments to the Civil Procedure Rules 1998

13. In Part 75—

- (a) in the table of contents, after the entry relating to rule 75.5, insert the entry—
“Rule 75.5A Review of decision of court officer”;
- (b) for rule 75.5 and the heading to that rule, substitute—

“Functions of court officer

75.5. The practice direction supplementing this Part sets out the circumstances in which a court officer may exercise the functions of the court.”;

- (c) after rule 75.5, insert—

“Review of decision of court officer

75.5A.—(1) Any party may request any decision of a court officer to be reviewed by a district judge.

(2) Such a request must be made within 14 days of service of the decision.

(3) Unless—

- (a) the party requesting the review requests an oral hearing; or
- (b) the court orders an oral hearing,

a request for a review under paragraph (2) will be dealt with without an oral hearing.”; and

- (d) in rule 75.7—

(i) for paragraph (6) substitute—

“(6) An authority may not renew a warrant issued in accordance with this Part beyond the 12 month validity period but, subject to paragraph (7), an authority may request the reissue of a warrant during the 12 month validity period.”; and

(ii) after paragraph (6) insert—

“(7) Where the address of the respondent has changed since the issue of the warrant, the authority may request the reissue of the warrant by filing a request—

- (a) specifying the new address of the respondent;
- (b) providing evidence that the new address for the respondent does relate to the respondent named in the order and against whom enforcement is sought; and
- (c) certifying that the amount due under the order remains unpaid.

(8) Where the court is satisfied that the new address of the respondent given in the request for the reissue of the warrant relates to the respondent named in the order, it will seal the request and return it to the authority.

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(9) The authority must prepare the reissued warrant in the appropriate form within 7 days of the sealing of the request to reissue.

(10) A reissued warrant will only be valid for the remainder of the 12 month period beginning with the date it was originally issued.”.