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## STATUTORY INSTRUMENTS

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# 2017 No. 1035

## The Court of Protection Rules 2017

### PART 6

#### SERVICE OF DOCUMENTS

##### *Service out of the jurisdiction*

#### Scope and interpretation

**6.11.**—(1) This rule and rules 6.12 to 6.19 make provision about—

- (a) service of application forms and other documents out of the jurisdiction; and
- (b) the procedure for service.

(2) In this rule and rules 6.12 to 6.19—

“application form” includes an application notice;

“Commonwealth State” means a State listed in Schedule 3 to the British Nationality Act 1981<sup>(1)</sup>;

“jurisdiction” means, unless the context otherwise requires, England and Wales and any part of the territorial waters of the United Kingdom adjoining England and Wales;

“Member State” means a Member State of the European Union;

“the Service Convention” means the Convention on the service abroad of judicial and extra-judicial documents in civil or commercial matters signed at the Hague on November 15, 1965;

“Service Convention country” means a country, not being a Member State, which is a party to the Service Convention; and

“the Service Regulation” means Regulation (EC) No. 1393/2007 of the European Parliament and of the Council of 13 November 2007 on the service in the Member States of judicial and extra-judicial documents in civil and commercial matters (service of documents) and repealing Council Regulation (EC) No. 1348/2000<sup>(2)</sup>.

(3) In rules 6.12 to 6.19, a reference to service by a party includes service by a person who is not a party where service by such a person is required under these Rules.

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<sup>(1)</sup> 1981 c.61. There are relevant amendments in: S.I. 1983/882; S.I. 1983/1699; the Brunei and Maldives Act 1985 (c.3); section 1, Schedule; S.I. 1989/1331; S.I. 1998/3161; S.I. 1990/1502; S.I. 1994/1634; S.I. 2010/246.

<sup>(2)</sup> OJ L 324, 10.12.2007, p. 79.