

## SCHEDULE

### MINOR AND CONSEQUENTIAL AMENDMENTS

Rule 48

#### PART 1

#### Entry of Appearance

<i>Order and Rule</i>	<i>Words to be omitted</i>	<i>Words, if any, to be substituted</i>
Order 6, rule 2(1)(b)	“appearing”	“acknowledging service”
Order 6, rule 5(4)	“entered an appearance to the writ”	“acknowledged service of the writ”
Order 10, rule 2(2), Order 11, rules 1(3), 4(4) and 9(6)	“enter an appearance” wherever occurring	“acknowledge service”
Order 12 (title)	“ENTRY OF APPEARANCE TO”	“ACKNOWLEDGMENT OF SERVICE OF”
Order 12, rule 5	“appearing” wherever occurring	“acknowledging service”
Order 13 (title)	“DEFAULT OF APPEARANCE TO WRIT”	“FAILURE TO GIVE NOTICE OF INTENTION TO DEFEND”
Order 13, rules 1 to 6 (inclusive)	“enter an appearance” wherever occurring	“give notice of intention to defend”
Order 13, rule 6	“had entered an appearance”	“had given notice of intention to defend”
Order 13, rule 7(2)	“enter an appearance”	“give notice of intention to defend”
	“is in default of appearance”	“failed to give such notice”
Order 14, rule 1(1)	“entered an appearance in the action”	“given notice of intention to defend the action”
Order 15, rule 3(4)	“entry of appearance to a counterclaim”	“acknowledging service of a counterclaim”
Order 15, rule 8(3)	“entry of appearance”	“acknowledgment of service”
	“time limited for appearing”	“time limited for acknowledging service”
Order 15, rule 8(4)	“entry of appearance” wherever occurring.	“acknowledgment of service”
Order 15, rule 10A(2)	“entering an appearance”	“giving notice of intention to defend the action”
Order 16, rule 1(1)	“entered an appearance”	“given notice of intention to defend”

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format. The electronic version of this UK Statutory Instrument has been contributed by Westlaw and is taken from the printed publication. **Read more**

<i>Order and Rule</i>	<i>Words to be omitted</i>	<i>Words, if any, to be substituted</i>
Order 16, rule 3(2)	“served in the action”	“served in the action and a form of acknowledgment of service in Form No. 14 in Appendix A”
Order 16, rule 3(3)	“entering an appearance to”	“acknowledging service of”
Order 16, rule 4(1)	“enters an appearance”	“gives notice of intention to defend”
Order 16, rule 4(2)	“entering an appearance”	“giving notice of intention to defend”
Order 16, rule 5(1)	“enter an appearance”	“give notice of intention to defend”
Order 16, rule 8(1)	“entered an appearance”	“given notice of intention to defend”
Order 16, rule 8(3)	“no appearance to”	“no acknowledgment of service of”
	“entered an appearance in the action” where first occurring	“acknowledged service of the writ or originating summons in the action”
	“entered an appearance in the action” in the second place where they occur	“given notice of intention to defend the action”
Order 16, rule 9(3)	“entered an appearance to the notice”	“given notice of intention to defend the claim, question or issue”
	“limited for appearing to”	“limited for acknowledging service of”
	“entered an appearance”	“acknowledged service”
Order 18, rule 1	“enters an appearance”	“gives notice of intention to defend”
Order 18, rule 2(1)	“enters an appearance in, and intends to defend”	“gives notice of intention to defend”
	“limited for appearing”	“limited for acknowledging service of the writ”
Order 18, rule 21(1)	“entered an appearance”	“given notice of intention to defend”
Order 28, rule 6	“in default of appearance” in the heading	“who has failed to acknowledge service”
	“failed to enter an appearance”	“failed to acknowledge service of the summons”
	“that the party is in default of appearance”	“that the party has so failed”

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format. The electronic version of this UK Statutory Instrument has been contributed by Westlaw and is taken from the printed publication. **Read more**

<i>Order and Rule</i>	<i>Words to be omitted</i>	<i>Words, if any, to be substituted</i>
Order 28, rule 7(1)	“entered an appearance to the summons”	“acknowledged service of the summons”
Order 29, rule 2(6)	“enters an appearance”	“acknowledges service of the writ or originating summons by which the cause or matter was begun”
Order 29, rule 10	“to appear”	“to acknowledge service”
Order 37, rule 3	“in default of appearance”	“on failure to give notice of intention to defend”
Order 38, rule 21(5)	“entry of appearance”	“acknowledgment of service”
Order 43, rule 1(1)	“after the defendant has entered an appearance or after the time limited for appearing”	“after the defendant has acknowledged service of the writ or after the time limited for acknowledging service”
Order 62, rule 3(11)	“if he enters an appearance”	“if he acknowledges service of the notice”
Order 62, rule 21(5)(a)(ii)	“appears in person”	“acknowledges service in person”
	“who does not so appear”	“who does not so acknowledge service”
Order 62, rules 22(2) 23(2) and 24(3)	“entered an appearance” wherever occurring	“acknowledged service”
Order 62, Appendix 3	“in default of appearance” in paragraph 1(b) of Part I	“on failure to give notice of intention to defend”
	“where” to “default of appearance” in item (5) of the Additional Costs in the Scale of Costs following paragraph 2 of Part I	“where notice of intention to defend is given after the time limited therefor and the plaintiff makes an affidavit of service for the purpose of a judgment on failure to give notice of intention to defend”
	“in default of appearance” wherever occurring in paragraphs 1(1)(a) and 2 of Part II	“on failure to give notice of intention to defend”
Order 65, rule 9	“as to entry of appearance”	“as to acknowledgment of service”
Order 67, rules 1(3), 2(2), 5(3) (a) and 6(1)(a)	“as to entry of appearance” wherever occurring	“as to acknowledgment of service”
Order 71, rule 13	“or appearance by” in paragraph (3)(b)	—

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format. The electronic version of this UK Statutory Instrument has been contributed by Westlaw and is taken from the printed publication. **Read more**

<i>Order and Rule</i>	<i>Words to be omitted</i>	<i>Words, if any, to be substituted</i>
	“appeared thereto” in paragraph (5)(a)	“acknowledged service thereof”
Order 72, rule 6(2)	“entering an appearance in”	“giving notice of intention to defend”
Order 76, rule 5(1)	“entered an appearance”	“acknowledged service of the writ”
Order 76, rule 5(2)	the words from “after the entry” to “appearance therein”	“after the acknowledgment of service by a defendant to the action or, if no defendant acknowledges service”
Order 76, rule 6	“Default of appearance” in the heading  the words in paragraph (2) from “to enter an appearance” to the end	“Failure to acknowledge service”  “to acknowledge service of the writ, the plaintiff may, after the time for acknowledging service has expired and upon filling an affidavit proving due service of the writ, or notice of the writ, on that defendant proceed with the action as if that defendant had acknowledged service”
Order 76, rule 6(3)	“enter an appearance”	“acknowledge service of the writ”
	“for appearing”	“for acknowledging service”
Order 76, rule 7	“enters an appearance in”	“acknowledges service of the writ”
	“entry of appearance”	“acknowledgment of service”
Order 76, rule 11(2)	“entered an appearance”	“acknowledged service of the writ”
Order 77, rule 3(2) and (3)	“time limited for appearing” wherever occurring	“time limited for acknowledging service of the writ”
Order 77, rule 9(1)	“appearance”	“notice of intention to defend”
Order 78, rule 2(c)	“enter an appearance in the action”	“acknowledge service of the notice”
Order 78, rule 3	“Entry of appearance” in the heading	“Acknowledgment of service”
	“enter an appearance”	“acknowledge service thereof”
	“rules 1, 2 and 4”	“rules 1 and 4”
Order 78, rule 4	“in default of appearance” in the heading	“on failure to give notice of intention to defend”

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format. The electronic version of this UK Statutory Instrument has been contributed by Westlaw and is taken from the printed publication. **Read more**

<i>Order and Rule</i>	<i>Words to be omitted</i>	<i>Words, if any, to be substituted</i>
	“enter an appearance”	“give notice of intention to defend”
Order 78, rule 5(1)	“enters an appearance in”	“gives notice of intention to defend”
	“the appearance is entered”	“such notice is given”
Order 80, rule 3(6)(b)	“an appearance shall not be entered in a cause or matter”	“service shall not be acknowledged in a cause or matter”
Order 80, rule 3(7)	“the appearance is to be entered”	“service is to be acknowledged”
Order 80, rule 6	“does not appear” in the heading	“does not acknowledge service”
Order 80, rule 6(1)	“to which an appearance is required to be entered”	—
	“no appearance is entered” wherever occurring	“no acknowledgment of service is given”
	“appearing”	“acknowledging service”
Order 80, rule 6(2)	“no appearance is entered”	“no acknowledgment of service is given”
	“appearing”	“acknowledging service”
Order 80, rule 6(3)	“or by originating summons to which no appearance need be entered”	—
	“petition, motion or summons”	“petition or motion”
Order 80, rule 6(4)	“no appearance is entered”	“no acknowledgment of service is given”
Order 80, rule 6(5)(d)	“appearing”	“acknowledging service”
Order 81, rule 4	“Entry of appearance” in the heading	“Acknowledgment of service”
Order 81, rule 4(1)	“appearance may not be entered”	“service may not be acknowledged”
Order 81, rule 4(2)	“enter an appearance in the action and state in his memorandum of appearance”	“acknowledge service of the writ and state in his acknowledgment”
	“An appearance entered”	“An acknowledgment of service given”
	“an appearance for”	“an acknowledgment by”
Order 81, rule 4(3)	“an appearance has been entered for”	“an acknowledgment of service has been given by”
Order 81, rule 4(4)	“entered an appearance”	“acknowledged service”

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format. The electronic version of this UK Statutory Instrument has been contributed by Westlaw and is taken from the printed publication. **Read more**

<i>Order and Rule</i>	<i>Words to be omitted</i>	<i>Words, if any, to be substituted</i>
Order 81, rule 4(5)	“enter an appearance in the action”	“acknowledge service of the writ”
Order 81, rule 5	“entered an appearance” wherever occurring in paragraphs 2(a) and (3)(a) “failed to enter an appearance” in paragraph (2)(b)	“acknowledged service of the writ” “failed to acknowledge service of it”
Order 83, rule 2(2)	“has not entered an appearance” “memorandum of appearance”	“has not acknowledged service of the writ or originating summons” “an acknowledgment of service”
Order 83, rule 3	“in default of appearance” wherever occurring in paragraphs (1) and (3) “time limited for appearing” in paragraph (3)	“on failure to give notice of intention to defend” “time limited for acknowledging service of the writ or originating summons in the action”
Order 83, rule 4	“entered an appearance”	“acknowledged service of the writ or originating summons”
Order 86, rule 1(2)	“entered an appearance”	“acknowledged service of the writ”
Order 88, rule 4(1)(b)	“the copy” to “rule 4” “enter an appearance, a certificate of his non-appearance”	“his stamped copy of the acknowledgment of service” “acknowledge service, a certificate that he has failed to do so”
Order 88, rule 5	“non-appearance by a defendant” in the heading	“failure by a defendant to acknowledge service”
Order 88, rule 5(1)	“to enter an appearance” “entered an appearance”	“to acknowledge service of the originating summons” “acknowledged service of the originating summons”
Order 88, rule 7(1)	“in default of appearance”	“on failure to give notice of intention to defend”
Order 89, rule 2	“in default of appearance” wherever occurring “or of defence” in paragraph (3)	“on failure to give notice of intention to defend” “or in default of defence”

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format. The electronic version of this UK Statutory Instrument has been contributed by Westlaw and is taken from the printed publication. **Read more**

<i>Order and Rule</i>	<i>Words to be omitted</i>	<i>Words, if any, to be substituted</i>
	“time limited for appearing” in paragraph (5)	“time limited for acknowledging service of the writ”
Order 96, rule 5(3)	“without entering an appearance”	—

## PART 2

### Originating Summonses

<i>Order and rule</i>	<i>Words to be omitted</i>	<i>Words, if any, to be substituted</i>
Order 11, rule 9(6)	“to which an appearance is required to be entered”	—
Order 17, rule 3	paragraph (3)	“(3) An originating summons under this rule shall be in Form No. 10 in Appendix A.”
Order 32, rule 9	paragraph (3)	“(3) An originating summons by which an application for leave under the said section 1 or the said section 141 is made shall be in Form No. 10 in Appendix A.”
Order 50, rule 14(4)	“No appearance need be entered to the summons”	“The summons shall be in Form No. 10 in Appendix A.”
Order 50, rule 15(2)	“No appearance” to “this rule”	“An originating summons under this rule shall be in Form No. 10 in Appendix A.”
Order 57, rule 3	“no appearance need be entered to such summons”	“such summons shall be in Form No. 10 in Appendix A”
Order 71, rule 2	paragraph (3)	“(3) An originating summons under this rule shall be in Form No. 10 in Appendix A.”
Order 73, rule 3(3)	“for which no appearance need be entered”	“which shall be in Form No. 10 in Appendix A.”
Order 73, rules 9(3) and 10(2)	“to which no appearance need be entered” wherever occurring	“which shall be in Form No. 10 in Appendix A”.
Order 75, rule 36(2)	“to which appearance is required to be entered”	—
Order 77, rule 17	paragraph (3)	“(3) A summons under this rule shall be in Form No. 10 in Appendix A”

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format. The electronic version of this UK Statutory Instrument has been contributed by Westlaw and is taken from the printed publication. **Read more**

<i>Order and rule</i>	<i>Words to be omitted</i>	<i>Words, if any, to be substituted</i>
Order 79, rule 10(2)	“No appearance need be entered to” to “no effect”	“An originating summons by which an application is made under section 2(2) of the said Act for a direction that a witness summons shall be of no effect shall be in Form No. 10 in Appendix A”.
Order 79, rule 11(2)	“No appearance” to “is made”	“An originating summons by which such an application is made shall be in Form No. 10 in Appendix A.”
Order 80, rule 11	paragraph (4)	“(4) An originating summons under this rule shall be in Form No. 10 in Appendix A.”
Order 82, rule 8	paragraph (2)	“(2) An originating summons by which such an application is made shall be in Form No. 10 in Appendix A.”
Order 90, rule 17(1)	“No appearance need be entered to any such summons.”	“Any such summons shall be in Form No. 10 in Appendix A.”
Order 91, rule 2(5)	“No appearance need be entered to the originating summons.”	“The originating summons shall be in Form No. 10 in Appendix A.”
Order 94, rule 5	paragraph (5)	“(5) An originating summons by which any application relating to parliamentary or local government elections is made shall be in Form No. 10 in Appendix A.”
Order 95, rule 2	paragraph (4)	“(4) An originating summons under paragraph (1)(b) shall be in Form No. 10 in Appendix A.”
Order 95, rule 3	The whole rule except the heading	“3. An originating summons by which an application to the Court under the proviso to section 7 of the Bills of Sale Act (1878) Amendment Act 1882 must be made shall be in Form No. 10 in Appendix A.”
Order 97, rule 3	paragraph (2)	“(2) Any such summons shall be in Form No. 10 in Appendix A.”



**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format. The electronic version of this UK Statutory Instrument has been contributed by Westlaw and is taken from the printed publication. **Read more**

<i>Order and rule</i>	<i>Words to be omitted</i>	<i>Words, if any, to be substituted</i>
Order 99, rule 3	paragraph (2)	“(2) The summons shall be in Form No. 10 in Appendix A.”
Order 102, rule 2(2)	“No appearance need be entered to an originating summons under this rule”	“An originating summons under this rule shall be in Form No. 10 in Appendix A.”
Order 102, rule 3	paragraph (2)	“(2) An originating summons under this rule shall be in Form No. 10 in Appendix A.”
Order 106, rule 5	The whole rule including the heading	“ <i>Form of originating summons</i> 5. An originating summons by which any application under the Act, or any application for an order under rule 3, is made shall be in Form No. 10 in Appendix A.”
Order 107, rule 3	paragraph (2)	“(2) An originating summons by which an application under the said section 85 is made shall be in Form No. 10 in Appendix A.”