

RULE 18

TIME FOR DELIVERY OF STATEMENT OF DEFENCE

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18.01 Except as provided in Rule 18.02 or subrule 19.01(5) (late delivery of defence) or 27.04(2) (counterclaim against plaintiff and non-party), a statement of defence (Form 18A) shall be delivered,

- (a) within twenty days after service of the statement of claim, where the defendant is served in Prince Edward Island;
- (b) within forty days after service of the statement of claim, where the defendant is served elsewhere in Canada or in the United States of America; or
- (c) within sixty days after service of the statement of claim, where the defendant is served anywhere else.

NOTICE OF INTENT TO DEFEND

18.02 (1) A defendant who is served with a statement of claim and intends to defend the action may deliver a notice of intent to defend (Form 18B) within the time prescribed for delivery of a statement of defence.

(2) A defendant who delivers a notice of intent to defend within the prescribed time is entitled to ten days, in addition to the time prescribed by Rule 18.01, within which to deliver a statement of defence.

(3) Subrules (1) and (2) apply, with necessary modifications, to

- (a) a defendant to a counterclaim who is not already a party to the main action and who has been served with a statement of defence and counterclaim; and
- (b) a third party who has been served with a third party claim.