

RULE 18

TIME FOR DELIVERY OF STATEMENT OF DEFENCE

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18.01 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,

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).

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.