
STATUTORY INSTRUMENTS

1998 No. 3132

The Civil Procedure Rules 1998

[^{F1}PART 19 **E+W**

PARTIES AND GROUP LITIGATION

[^{F1}II REPRESENTATIVE PARTIES

Textual Amendments

- F1** Pt. 19 substituted (2.5.2000) by [The Civil Procedure \(Amendment\) Rules 2000 \(S.I. 2000/221\)](#), rule 1(b), [Sch. 2](#)

Representation of beneficiaries by trustees etc. **E+W**

^{F2}**19.7A**

Textual Amendments

- F2** Rule 19.7A renumbered as rule 19.10 (6.4.2023) by [The Civil Procedure \(Amendment\) Rules 2023 \(S.I. 2023/105\)](#), rules 1(1), [12\(11\)](#)

Postal Services Act 2000 (c. 26) **E+W**

^{F3}**19.7B**

Textual Amendments

- F3** Rule 19.7B substituted and renumbered as rule 19.11 (6.4.2023) by [The Civil Procedure \(Amendment\) Rules 2023 \(S.I. 2023/105\)](#), rules 1(1), [12\(12\)](#)

Representative parties with same interest **E+W**

[^{F4}**19.8**].—(1) Where more than one person has the same interest in a claim—

- (a) the claim may be begun; or
- (b) the court may order that the claim be continued,

by or against one or more of the persons who have the same interest as representatives of any other persons who have that interest.

- (2) The court may direct that a person may not act as a representative.

Status: Point in time view as at 06/04/2023.

Changes to legislation: There are currently no known outstanding effects for the The Civil Procedure Rules 1998, Cross Heading: II REPRESENTATIVE PARTIES. (See end of Document for details)

- (3) Any party may apply to the court for an order under paragraph (2).
- (4) Unless the court otherwise directs any judgment or order given in a claim in which a party is acting as a representative under this rule—
 - (a) is binding on all persons represented in the claim; but
 - (b) may only be enforced by or against a person who is not a party to the claim with the permission of the court.
- (5) This rule does not apply to a claim to which rule ^{F5}19.9] applies.

Textual Amendments

F4 Rule 19.6 renumbered as rule 19.8 (6.4.2023) by [The Civil Procedure \(Amendment\) Rules 2023 \(S.I. 2023/105\)](#), rules 1(1), **12(9)**

F5 Word in rule 19.8(5) substituted (6.4.2023) by virtue of [The Civil Procedure \(Amendment\) Rules 2023 \(S.I. 2023/105\)](#), rules 1(1), **12(9)**

Power to make judgments binding on non-parties E+W

^{F6}19.8A

Textual Amendments

F6 Rule 19.8A renumbered as rule 19.13 (6.4.2023) by [The Civil Procedure \(Amendment\) Rules 2023 \(S.I. 2023/105\)](#), rules 1(1), **12(14)**

Representation of interested persons who cannot be ascertained etc. E+W

- ^{F7}19.9].—(1) This rule applies to claims about—
- (a) the estate of a deceased person;
 - (b) property subject to a trust; or
 - (c) the meaning of a document, including a statute.
- (2) The court may make an order appointing a person to represent any other person or persons in the claim where the person or persons to be represented—
- (a) are unborn;
 - (b) cannot be found;
 - (c) cannot easily be ascertained; or
 - (d) are a class of persons who have the same interest in a claim and—
 - (i) one or more members of that class are within sub-paragraphs (a), (b) or (c); or
 - (ii) to appoint a representative would further the overriding objective.
- (3) An application for an order under paragraph (2)—
- (a) may be made by—
 - (i) any person who seeks to be appointed under the order; or
 - (ii) any party to the claim; and
 - (b) may be made at any time before or after the claim has started.
- (4) An application notice for an order under paragraph (2) must be served on—

- (a) all parties to the claim, if the claim has started;
 - (b) the person sought to be appointed, if that person is not the applicant or a party to the claim; and
 - (c) any other person as directed by the court.
- (5) The court’s approval is required to settle a claim in which a party is acting as a representative under this rule.
- (6) The court may approve a settlement where it is satisfied that the settlement is for the benefit of all the represented persons.
- (7) Unless the court otherwise directs, any judgment or order given in a claim in which a party is acting as a representative under this rule—
- (a) is binding on all persons represented in the claim; but
 - (b) may only be enforced by or against a person who is not a party to the claim with the permission of the court.

Textual Amendments

F7 Rule 19.7 renumbered as rule 19.9 (6.4.2023) by [The Civil Procedure \(Amendment\) Rules 2023 \(S.I. 2023/105\)](#), rules 1(1), **12(10)**

Derivative claims under Chapter 1 of Part 11 of the Companies Act 2006 – application for permission **E+W**

^{F8}**19.9A.**

Textual Amendments

F8 Rule 19.9A renumbered as rule 19.15 (6.4.2023) by [The Civil Procedure \(Amendment\) Rules 2023 \(S.I. 2023/105\)](#), rules 1(1), **12(16)**

Derivative claims under Chapter 1 of Part 11 of the Companies Act 2006 – members of companies taking over claims by companies or other members **E+W**

^{F9}**19.9B.**

Textual Amendments

F9 Rule 19.9B renumbered as rule 19.16 (6.4.2023) by [The Civil Procedure \(Amendment\) Rules 2023 \(S.I. 2023/105\)](#), rules 1(1), **12(17)**

Derivative claims – other bodies corporate and trade unions **E+W**

^{F10}**19.9C.**

Textual Amendments

F10 Rule 19.9C renumbered as rule 19.17 (6.4.2023) by [The Civil Procedure \(Amendment\) Rules 2023 \(S.I. 2023/105\)](#), rules 1(1), **12(18)**

Status: Point in time view as at 06/04/2023.

Changes to legislation: There are currently no known outstanding effects for the The Civil Procedure Rules 1998, Cross Heading: II REPRESENTATIVE PARTIES. (See end of Document for details)

Derivative claims arising in the course of other proceedings **E+W**

^{F11}**19.9D.**

Textual Amendments

F11 Rule 19.9D renumbered as rule 19.18 (6.4.2023) by [The Civil Procedure \(Amendment\) Rules 2023 \(S.I. 2023/105\)](#), rules 1(1), **12(19)**

Derivative claims – costs **E+W**

^{F12}**19.9E.**

Textual Amendments

F12 Rule 19.9E renumbered as rule 19.19 (6.4.2023) by [The Civil Procedure \(Amendment\) Rules 2023 \(S.I. 2023/105\)](#), rules 1(1), **12(20)**

Derivative claims – discontinuance and settlement **E+W**

^{F13}**19.9F.**

Textual Amendments

F13 Rule 19.9F renumbered as rule 19.20 (6.4.2023) by [The Civil Procedure \(Amendment\) Rules 2023 \(S.I. 2023/105\)](#), rules 1(1), **12(21)**

[^{F14}Representation of beneficiaries by trustees etc. **E+W**

[
^{F15}**19.10].**—(1) A claim may be brought by or against trustees, executors or administrators in that capacity without adding as parties any persons who have a beneficial interest in the trust or estate (“the beneficiaries”).

(2) Any judgment or order given or made in the claim is binding on the beneficiaries unless the court orders otherwise in the same or other proceedings.]

Textual Amendments

F14 Rule 19.7A inserted (2.12.2002) by [The Civil Procedure \(Amendment\) Rules 2002 \(S.I. 2002/2058\)](#), rules 1(b), **6(a)**

F15 Rule 19.7A renumbered as rule 19.10 (6.4.2023) by [The Civil Procedure \(Amendment\) Rules 2023 \(S.I. 2023/105\)](#), rules 1(1), **12(11)**

[^{F16}Postal Services Act 2000 **E+W**

19.11 A copy of an application notice under section 92 of the Postal Services Act 2000 for permission to bring proceedings in the name of the sender or addressee of a postal packet or their personal representative must be served on the universal service provider and on the person in whose name the applicant seeks to bring the proceedings.]

Textual Amendments

F16 Rule 19.7B substituted and renumbered as rule 19.11 (6.4.2023) by [The Civil Procedure \(Amendment\) Rules 2023 \(S.I. 2023/105\)](#), rules 1(1), **12(12)**

Death **E+W**

[^{F17}**19.12**].—(1) Where a person who had an interest in a claim has died and that person has no personal representative the court may order—

- (a) the claim to proceed in the absence of a person representing the estate of the deceased; or
- (b) a person to be appointed to represent the estate of the deceased.

(2) Where a defendant against whom a claim could have been brought has died and—

- (a) a grant of probate or administration has been made, the claim must be brought against the persons who are the personal representatives of the deceased;
- (b) a grant of probate or administration has not been made—
 - (i) the claim must be brought against “the estate of” the deceased; and
 - (ii) the claimant must apply to the court for an order appointing a person to represent the estate of the deceased in the claim.

(3) A claim shall be treated as having been brought against “the estate of” the deceased in accordance with paragraph (2)(b)(i) where—

- (a) the claim is brought against the “personal representatives” of the deceased but a grant of probate or administration has not been made; or
- (b) the person against whom the claim was brought was dead when the claim was started.

(4) Before making an order under this rule, the court may direct notice of the application to be given to any other person with an interest in the claim.

(5) Where an order has been made under paragraphs (1) or (2)(b)(ii) any judgment or order made or given in the claim is binding on the estate of the deceased.

Textual Amendments

F17 Rule 19.8 renumbered as rule 19.12 (6.4.2023) by [The Civil Procedure \(Amendment\) Rules 2023 \(S.I. 2023/105\)](#), rules 1(1), **12(13)**

Power to make judgments binding on non-parties **E+W**

[^{F18}**19.13**].—(1) This rule applies to any claim relating to—

- (a) the estate of a deceased person;
- (b) property subject to a trust; or
- (c) the sale of any property.

(2) The court may at any time direct that notice of—

- (a) the claim; or
- (b) any judgment or order given in the claim,

be served on any person who is not a party but who is or may be affected by it.

(3) An application under this rule—

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- (a) may be made without notice; and
 - (b) must be supported by written evidence which includes the reasons why the person to be served should be bound by the judgment in the claim.
- (4) Unless the court orders otherwise—
- (a) a notice of a claim or of a judgment or order under this rule must be—
 - (i) in the ^{F19}prescribed] form ^{F20}...;
 - (ii) issued by the court; and
 - (iii) accompanied by a form of acknowledgment of service with any necessary modifications;
 - (b) a notice of a claim must also be accompanied by—
 - (i) a copy of the claim form; and
 - (ii) such other statements of case, witness statements or affidavits as the court may direct; and
 - (c) a notice of a judgment or order must also be accompanied by a copy of the judgment or order.
- (5) If a person served with notice of a claim files an acknowledgment of service of the notice within 14 days ^{F21}they] will become a party to the claim.
- (6) If a person served with notice of a claim does not acknowledge service of the notice ^{F22}they] will be bound by any judgment given in the claim as if he were a party.
- (7) If, after service of a notice of a claim on a person, the claim form is amended so as substantially to alter the remedy claimed, the court may direct that a judgment shall not bind that person unless a further notice, together with a copy of the amended claim form, is served on ^{F23}them].
- (8) Any person served with a notice of a judgment or order under this rule—
- (a) shall be bound by the judgment or order as if ^{F24}they] had been a party to the claim; but
 - (b) may, provided ^{F25}they] acknowledges service—
 - (i) within 28 days after the notice is served on ^{F26}them], apply to the court to set aside or vary the judgment or order; and
 - (ii) take part in any proceedings relating to the judgment or order.
- (9) The following rules of Part 10 (acknowledgment of service) apply—
- (a) rule 10.4; and
 - (b) rule 10.5, subject to the modification that references to the defendant are to be read as references to the person served with the notice.
- (10) A notice under this rule is issued on the date entered on the notice by the court.

Textual Amendments

- F18** Rule 19.8A renumbered as rule 19.13 (6.4.2023) by [The Civil Procedure \(Amendment\) Rules 2023 \(S.I. 2023/105\)](#), rules 1(1), **12(14)**
- F19** Word in rule 19.13(4)(a)(i) inserted (6.4.2023) by [The Civil Procedure \(Amendment\) Rules 2023 \(S.I. 2023/105\)](#), rules 1(1), **12(14)(a)(i)**
- F20** Words in rule 19.13(4)(a)(i) omitted (6.4.2023) by virtue of [The Civil Procedure \(Amendment\) Rules 2023 \(S.I. 2023/105\)](#), rules 1(1), **12(14)(a)(ii)**
- F21** Word in rule 19.13(5) substituted (6.4.2023) by [The Civil Procedure \(Amendment\) Rules 2023 \(S.I. 2023/105\)](#), rules 1(1), **12(14)(b)**

- F22** Word in rule 19.13(6) substituted (6.4.2023) by [The Civil Procedure \(Amendment\) Rules 2023 \(S.I. 2023/105\)](#), rules 1(1), **12(14)(c)**
- F23** Word in rule 19.13(7) substituted (6.4.2023) by [The Civil Procedure \(Amendment\) Rules 2023 \(S.I. 2023/105\)](#), rules 1(1), **12(14)(d)**
- F24** Word in rule 19.13(8)(a) substituted (6.4.2023) by [The Civil Procedure \(Amendment\) Rules 2023 \(S.I. 2023/105\)](#), rules 1(1), **12(14)(e)(i)**
- F25** Word in rule 19.13(8)(b) substituted (6.4.2023) by [The Civil Procedure \(Amendment\) Rules 2023 \(S.I. 2023/105\)](#), rules 1(1), **12(14)(e)(ii)(aa)**
- F26** Word in rule 19.13(8)(b) substituted (6.4.2023) by [The Civil Procedure \(Amendment\) Rules 2023 \(S.I. 2023/105\)](#), rules 1(1), **12(14)(e)(ii)(bb)**

[^{F27}Derivative claims– how started **E+W**

[^{F28}19.14].—(1) This rule—

- (a) applies to a derivative claim (where a company, other body corporate or trade union is alleged to be entitled to claim a remedy, and a claim is made by a member of it for it to be given that remedy), whether under Chapter 1 of Part 11 of the Companies Act 2006 or otherwise; but
- (b) does not apply to a claim made pursuant to an order under section [^{F29}996] of that Act.
- (2) A derivative claim must be started by a claim form [^{F30}headed “Derivative Claim”].
- (3) The company, body corporate or trade union for the benefit of which a remedy is sought must be made a defendant to the claim.
- (4) After the issue of the claim form, the claimant must not take any further step in the proceedings without the permission of the court, other than—
- (a) a step permitted or required by rule [^{F31}19.15 or 19.17]; or
- (b) making an urgent application for interim relief.

Textual Amendments

- F27** Rules 19.9-19.9F substituted for rule 19.9 (1.10.2007) by [The Civil Procedure \(Amendment\) Rules 2007 \(S.I. 2007/2204\)](#), rule 1, **Sch. 1** (with rule 21)
- F28** Rule 19.9 renumbered as rule 19.14 (6.4.2023) by [The Civil Procedure \(Amendment\) Rules 2023 \(S.I. 2023/105\)](#), rules 1(1), **12(15)**
- F29** Word in rule 19.9(1)(b) substituted (6.4.2008) by [The Civil Procedure \(Amendment No.2\) Rules 2007 \(S.I. 2007/3543\)](#), rules 1(b), **5(a)**
- F30** Words in rule 19.14(2) inserted (6.4.2023) by [The Civil Procedure \(Amendment\) Rules 2023 \(S.I. 2023/105\)](#), rules 1(1), **12(15)(a)**
- F31** Words in rule 19.14(4)(a) substituted (6.4.2023) by [The Civil Procedure \(Amendment\) Rules 2023 \(S.I. 2023/105\)](#), rules 1(1), **12(15)(b)**

Derivative claims under Chapter 1 of Part 11 of the Companies Act 2006 – application for permission **E+W**

[^{F32}19.15].—(1) In this rule—

“the Act” means the Companies Act 2006;

“derivative claim” means a derivative claim under Chapter 1 of Part 11 of the Act;

“permission application” means an application referred to in section [F33 261(1)], 262(2) or 264(2) of the Act;

“the company” means the company for the benefit of which the derivative claim is brought.

(2) When the claim form for a derivative claim is issued, the claimant must file—

- (a) an application notice under Part 23 for permission to continue the claim; and
- (b) the written evidence on which the claimant relies in support of the permission application.

(3) The claimant must not make the company a respondent to the permission application.

(4) Subject to paragraph (7), the claimant must notify the company of the claim and permission application by sending to the company as soon as reasonably practicable after the claim form is issued—

- (a) a notice in the [F34 prescribed] form F35 ...;
- (b) copies of the claim form and the particulars of claim;
- (c) the application notice; and
- (d) a copy of the evidence filed by the claimant in support of the permission application.

(5) The claimant may send the notice and documents required by paragraph (4) to the company by any method permitted by Part 6 as if the notice and documents were being served on the company.

(6) The claimant must file a witness statement confirming that the claimant has notified the company in accordance with paragraph (4).

(7) Where notifying the company of the permission application would be likely to frustrate some party of the remedy sought, the court may, on application by the claimant, order that the company need not be notified for such period after the issue of the claim form as the court directs.

[F36(8) An application under paragraph (7)—

- (a) may be made without notice; and
- (b) must state in the application notice the reasons for the application and be filed with any written evidence in support.]

(9) Where the court dismisses the claimant’s permission application without a hearing, the court will notify the claimant and (unless the court orders otherwise) the company of that decision.

(10) The claimant may ask for an oral hearing to reconsider the decision to dismiss the permission application, but the claimant—

- (a) must make the request to the court in writing within seven days of being notified of the decision; and
- (b) must notify the company in writing, as soon as reasonably practicable, of that request unless the court orders otherwise.

(11) Where the court dismisses the permission application at a hearing pursuant to paragraph (10), it will notify the claimant and the company of its decision.

(12) Where the court does not dismiss the application under section 261(2) of the Act, the court will—

- (a) order that the company and any other appropriate party must be made respondents to the permission application; and
- (b) give directions for the service on the company and any other appropriate party of the application notice and the claim form.

Textual Amendments

- F27** Rules 19.9-19.9F substituted for rule 19.9 (1.10.2007) by [The Civil Procedure \(Amendment\) Rules 2007 \(S.I. 2007/2204\)](#), [rule 1](#), [Sch. 1](#) (with [rule 21](#))
- F32** Rule 19.9A renumbered as rule 19.15 (6.4.2023) by [The Civil Procedure \(Amendment\) Rules 2023 \(S.I. 2023/105\)](#), [rules 1\(1\)](#), [12\(16\)](#)
- F33** Word in rule 19.9A(1) substituted (6.4.2008) by [The Civil Procedure \(Amendment No.2\) Rules 2007 \(S.I. 2007/3543\)](#), [rules 1\(b\)](#), [5\(b\)](#)
- F34** Word in rule 19.15(4)(a) inserted (6.4.2023) by [The Civil Procedure \(Amendment\) Rules 2023 \(S.I. 2023/105\)](#), [rules 1\(1\)](#), [12\(16\)\(a\)\(i\)](#)
- F35** Words in rule 19.15(4)(a) omitted (6.4.2023) by virtue of [The Civil Procedure \(Amendment\) Rules 2023 \(S.I. 2023/105\)](#), [rules 1\(1\)](#), [12\(16\)\(a\)\(ii\)](#)
- F36** Rule 19.15(8) substituted (6.4.2023) by [The Civil Procedure \(Amendment\) Rules 2023 \(S.I. 2023/105\)](#), [rules 1\(1\)](#), [12\(16\)\(b\)](#)

Derivative claims under Chapter 1 of Part 11 of the Companies Act 2006 – members of companies taking over claims by companies or other members **E+W**

[^{F37}19.16].—(1) This rule applies to proceedings under section 262(1) or 264(1) of the Companies Act 2006.

(2) The application for permission must be made by an application notice in accordance with Part 23.

(3) Rule [^{F38}19.15] (except for paragraphs (1), (2) and (4)(b) of that rule, and paragraph (12)(b) so far as it applies to the claim form) applies to an application under this rule and references to the claimant in rule [^{F38}19.15] are to be read as references to the person who seeks to take over the claim.

Textual Amendments

- F27** Rules 19.9-19.9F substituted for rule 19.9 (1.10.2007) by [The Civil Procedure \(Amendment\) Rules 2007 \(S.I. 2007/2204\)](#), [rule 1](#), [Sch. 1](#) (with [rule 21](#))
- F37** Rule 19.9B renumbered as rule 19.16 (6.4.2023) by [The Civil Procedure \(Amendment\) Rules 2023 \(S.I. 2023/105\)](#), [rules 1\(1\)](#), [12\(17\)](#)
- F38** Word in rule 19.16(3) substituted (6.4.2023) by [The Civil Procedure \(Amendment\) Rules 2023 \(S.I. 2023/105\)](#), [rules 1\(1\)](#), [12\(17\)](#)

Derivative claims – other bodies corporate and trade unions **E+W**

[^{F39}19.17].—(1) This rule sets out the procedure where—

(a) either—

(i) a body corporate to which Chapter 1 of Part 11 of the Companies Act 2006 does not apply; or

(ii) a trade union,

is alleged to be entitled to a remedy; and

(b) either—

(i) a claim is made by a member for it to be given that remedy; or

(ii) a member of the body corporate or trade union seeks to take over a claim already started, by the body corporate or trade union or one or more of its members, for it to be given that remedy.

Status: Point in time view as at 06/04/2023.

Changes to legislation: There are currently no known outstanding effects for the The Civil Procedure Rules 1998, Cross Heading: II REPRESENTATIVE PARTIES. (See end of Document for details)

(2) The member who starts, or seeks to take over, the claim must apply to the court for permission to continue the claim.

(3) The application for permission must be made by an application notice in accordance with Part 23.

(4) The procedure for applications in relation to companies under section 261, 262 or 264 (as the case requires) of the Companies Act 2006 applies to the permission application as if the body corporate or trade union were a company.

[^{F40}(5) Rules [^{F41}19.15] (except for paragraph (1) of that rule) and [^{F42}19.16] apply to the permission application as if the body corporate or trade union were a company.]

Textual Amendments

- F27** Rules 19.9-19.9F substituted for rule 19.9 (1.10.2007) by [The Civil Procedure \(Amendment\) Rules 2007 \(S.I. 2007/2204\), rule 1, Sch. 1](#) (with rule 21)
- F39** Rule 19.9C renumbered as rule 19.17 (6.4.2023) by [The Civil Procedure \(Amendment\) Rules 2023 \(S.I. 2023/105\), rules 1\(1\), 12\(18\)](#)
- F40** Rule 19.9C(5) substituted (6.4.2008) by [The Civil Procedure \(Amendment No.2\) Rules 2007 \(S.I. 2007/3543\), rules 1\(b\), 5\(c\)](#)
- F41** Word in rule 19.17(5) substituted (6.4.2023) by [The Civil Procedure \(Amendment\) Rules 2023 \(S.I. 2023/105\), rules 1\(1\), 12\(18\)\(a\)](#)
- F42** Word in rule 19.17(5) substituted (6.4.2023) by [The Civil Procedure \(Amendment\) Rules 2023 \(S.I. 2023/105\), rules 1\(1\), 12\(18\)\(b\)](#)

Derivative claims arising in the course of other proceedings **E+W**

[^{F43}19.18]. If a derivative claim (except such a claim in pursuance of an order under section [^{F44}996] of the Companies Act 2006) arises in the course of other proceedings—

- (a) in the case of a derivative claim under Chapter 1 of Part 11 of that Act, rule [^{F45}19.15 or 19.16] applies, as the case requires; and
- (b) in any other case, rule [^{F46}19.17] applies.

Textual Amendments

- F27** Rules 19.9-19.9F substituted for rule 19.9 (1.10.2007) by [The Civil Procedure \(Amendment\) Rules 2007 \(S.I. 2007/2204\), rule 1, Sch. 1](#) (with rule 21)
- F43** Rule 19.9D renumbered as rule 19.18 (6.4.2023) by [The Civil Procedure \(Amendment\) Rules 2023 \(S.I. 2023/105\), rules 1\(1\), 12\(19\)](#)
- F44** Word in rule 19.9D substituted (6.4.2008) by [The Civil Procedure \(Amendment No.2\) Rules 2007 \(S.I. 2007/3543\), rules 1\(b\), 5\(d\)](#)
- F45** Words in rule 19.18(a) substituted (6.4.2023) by [The Civil Procedure \(Amendment\) Rules 2023 \(S.I. 2023/105\), rules 1\(1\), 12\(19\)\(a\)](#)
- F46** Word in rule 19.18(b) substituted (6.4.2023) by [The Civil Procedure \(Amendment\) Rules 2023 \(S.I. 2023/105\), rules 1\(1\), 12\(19\)\(b\)](#)

Derivative claims – costs **E+W**

[^{F47}19.19].—[^{F48}(1)] The court may order the company, body corporate or trade union for the benefit of which a derivative claim is brought to indemnify the claimant against liability for costs incurred in the permission application or in the derivative claim or both.

[^{F49}(2) If the claimant seeks an order that the defendant company or other body concerned indemnify the claimant against liability for costs incurred in the permission application or the claim, this should be stated in the permission application or claim form or both.]

Textual Amendments

- F27** Rules 19.9-19.9F substituted for rule 19.9 (1.10.2007) by [The Civil Procedure \(Amendment\) Rules 2007 \(S.I. 2007/2204\), rule 1, Sch. 1](#) (with rule 21)
- F47** Rule 19.9E renumbered as rule 19.19 (6.4.2023) by [The Civil Procedure \(Amendment\) Rules 2023 \(S.I. 2023/105\), rules 1\(1\), 12\(20\)](#)
- F48** Rule 19.19 renumbered as rule 19.19(1) (6.4.2023) by [The Civil Procedure \(Amendment\) Rules 2023 \(S.I. 2023/105\), rules 1\(1\), 12\(20\)\(a\)](#)
- F49** Rule 19.19(2) inserted (6.4.2023) by [The Civil Procedure \(Amendment\) Rules 2023 \(S.I. 2023/105\), rules 1\(1\), 12\(20\)\(b\)](#)

Derivative claims – discontinuance and settlement **E+W**

[^{F50}**19.20**]. Where the court has given permission to continue a derivative claim, the court may order that the claim may not be [^{F51}discontinued, settled or compromised] without the permission of the court.]]

Textual Amendments

- F27** Rules 19.9-19.9F substituted for rule 19.9 (1.10.2007) by [The Civil Procedure \(Amendment\) Rules 2007 \(S.I. 2007/2204\), rule 1, Sch. 1](#) (with rule 21)
- F50** Rule 19.9F renumbered as rule 19.20 (6.4.2023) by [The Civil Procedure \(Amendment\) Rules 2023 \(S.I. 2023/105\), rules 1\(1\), 12\(21\)](#)
- F51** Words in [rule 19.9F](#) substituted (6.4.2008) by [The Civil Procedure \(Amendment No.2\) Rules 2007 \(S.I. 2007/3543\), rules 1\(b\), 5\(e\)](#)

Status:

Point in time view as at 06/04/2023.

Changes to legislation:

There are currently no known outstanding effects for the The Civil Procedure Rules 1998, Cross Heading: II REPRESENTATIVE PARTIES.