
STATUTORY INSTRUMENTS

1998 No. 3132

The Civil Procedure Rules 1998

[^{F1}PART 55

POSSESSION CLAIMS

I—GENERAL RULES

[^{F1}Starting the claim

55.3.—[^{F2}(1) In the County Court—

- (a) the claimant may make the claim at any County Court hearing centre, unless paragraph (2) applies or an enactment provides otherwise;
- (b) the claim will be issued by the hearing centre where the claim is made; and
- (c) if the claim is not made at the County Court hearing centre which serves the address where the land is situated, the claim will be sent to the hearing centre serving that address when it is issued.

(Practice Direction 55A includes further direction in respect of claims which are not made at the County Court hearing centre which serves the address where the land is situated.)]

(2) The claim may be started in the High Court if the claimant files with [^{F3}their] claim form a certificate stating the reasons for bringing the claim in that court verified by a statement of truth ^{F4}....

(3) [^{F5}Practice Direction 55A] refers to circumstances which may justify starting the claim in the High Court.

(4) Where, in a possession claim against trespassers, the claimant does not know the name of a person in occupation or possession of the land, the claim must be brought against “persons unknown” in addition to any named defendants.

(5) The claim form and form of defence sent with it must be in the forms set out in [^{F6}Practice Direction 55A].]

Textual Amendments

- F1** Pt. 55 inserted (15.10.2001) by [The Civil Procedure \(Amendment\) Rules 2001 \(S.I. 2001/256\)](#), rule 1(d), [Sch. 1](#) (with rule 31)
- F2** Rule 55.3(1) substituted (22.4.2014) by [The Civil Procedure \(Amendment\) Rules 2014 \(S.I. 2014/407\)](#), rules 2(1), [22\(a\)](#); S.I. 2014/954, art. 2(a)
- F3** Word in rule 55.3(2) substituted (1.10.2023 immediately after S.I. 2023/572 comes into force) by [The Civil Procedure \(Amendment No. 3\) Rules 2023 \(S.I. 2023/788\)](#), rules 1(1), [25\(1\)\(a\)](#)
- F4** Words in rule 55.3(2) omitted (1.10.2023 immediately after S.I. 2023/572 comes into force) by virtue of [The Civil Procedure \(Amendment No. 3\) Rules 2023 \(S.I. 2023/788\)](#), rules 1(1), [25\(1\)\(b\)](#)

Status: Point in time view as at 01/10/2023.

Changes to legislation: There are currently no known outstanding effects for the
The Civil Procedure Rules 1998, Section 55.3. (See end of Document for details)

- F5** Words in rule 55.3(3) substituted (6.4.2010) by [The Civil Procedure \(Amendment No.2\) Rules 2009 \(S.I. 2009/3390\)](#), rules 1(2), **30(a)**
- F6** Words in rule 55.3(5) substituted (6.4.2010) by [The Civil Procedure \(Amendment No.2\) Rules 2009 \(S.I. 2009/3390\)](#), rules 1(2), **30(b)**

Status:

Point in time view as at 01/10/2023.

Changes to legislation:

There are currently no known outstanding effects for the The Civil Procedure Rules 1998, Section 55.3.