
STATUTORY INSTRUMENTS

1998 No. 3132

The Civil Procedure Rules 1998

PART 12

DEFAULT JUDGMENT

Default judgment obtained by making an application

- 12.10** The claimant must make an application in accordance with Part 23 where—
- (a) the claim is—
 - (i) a claim against a child or patient;
 - (ii) a claim in tort by one spouse against the other; or
 - (iii) a claim against the Crown.
 - (b) he wishes to obtain a default judgment where the defendant has failed to file an acknowledgment of service—
 - (i) against a defendant who has been served with the claim out of the jurisdiction under [^{F1}rule 6.19(1)] [^{F2}or (1A)] (service without leave ^{F3}...);
 - (ii) against a defendant domiciled in Scotland or Northern Ireland or in any other Convention territory [^{F4}or Regulation State];
 - (iii) against a State;
 - (iv) against a diplomatic agent who enjoys immunity from civil jurisdiction by virtue of the Diplomatic Privileges Act 1964(1); or
 - (v) against persons or organisations who enjoy immunity from civil jurisdiction pursuant to the provisions of the International Organisations Acts 1968 and 1981(2).

Textual Amendments

- F1** Words in rule 12.10(b) substituted (2.5.2000) by The Civil Procedure (Amendment No. 2) Rules 2000 (S.I. 2000/940), rules 1, 7
- F2** Words in rule 12.10(b)(i) inserted (1.3.2002) by The Civil Procedure (Amendment No. 5) Rules 2001 (S.I. 2001/4015), rules 1(b), 13(a)(i)
- F3** Words in rule 12.10(b)(i) omitted (1.3.2002) by virtue of The Civil Procedure (Amendment No. 5) Rules 2001 (S.I. 2001/4015), rules 1(b), 13(a)(ii)
- F4** Words in rule 12.10(b)(ii) inserted (1.3.2002) by The Civil Procedure (Amendment No. 5) Rules 2001 (S.I. 2001/4015), rules 1(b), 13(b)

Status: Point in time view as at 01/03/2002. This version of this provision has been superseded.

Changes to legislation: There are currently no known outstanding effects for the
The Civil Procedure Rules 1998, Section 12.10. (See end of Document for details)

Commencement Information

II [Rule 12.10](#) in force at 26.4.1999, see [Signature](#)

Status:

Point in time view as at 01/03/2002. This version of this provision has been superseded.

Changes to legislation:

There are currently no known outstanding effects for the The Civil Procedure Rules 1998, Section 12.10.