
STATUTORY INSTRUMENTS

1998 No. 3132

The Civil Procedure Rules 1998

PART 12

DEFAULT JUDGMENT

Procedure for obtaining default judgment

12.4.—(1) Subject to paragraph (2), a claimant may obtain a default judgment by filing a request in the relevant practice form where the claim is for—

- (a) a specified amount of money;
- (b) an amount of money to be decided by the court;
- (c) delivery of goods where the claim form gives the defendant the alternative of paying their value; or
- (d) any combination of these remedies.

(2) The claimant must make an application in accordance with Part 23 if he wishes to obtain a default judgment—

- (a) on a claim which consists of or includes a claim for any other remedy; or
- (b) where rule 12.9 or rule 12.10 so provides [^{F1},

and where the defendant is an individual, the claimant must provide the defendant's date of birth (if known) in Part C of the application notice.]

(3) Where a claimant—

- (a) claims any other remedy in his claim form in addition to those specified in paragraph (1); but
- (b) abandons that claim in his request for judgment,

he may still obtain a default judgment by filing a request under paragraph (1).

[^{F2}(4) In civil proceedings against the Crown, as defined in rule 66.1(2), a request for a default judgment must be considered by a Master or district judge, who must in particular be satisfied that the claim form and particulars of claim have been properly served on the Crown in accordance with section 18 of the Crown Proceedings Act 1947 and rule 6.5(8).]

Textual Amendments

- F1** Words in rule 12.4(2) inserted (6.4.2006) by [The Civil Procedure \(Amendment No.3\) Rules 2005 \(S.I. 2005/2292\)](#), rules 1(a), **19(a)**
- F2** Rule 12.4(4) inserted (1.10.2005) by [The Civil Procedure \(Amendment No.3\) Rules 2005 \(S.I. 2005/2292\)](#), rules 1(c), **19(b)**

Status: Point in time view as at 06/04/2006. This version of this provision has been superseded.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 12.4. (See end of Document for details)

Commencement Information

II [Rule 12.4](#) in force at 26.4.1999, see [Signature](#)

Status:

Point in time view as at 06/04/2006. This version of this provision has been superseded.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 12.4.