STATUTORY INSTRUMENTS

1998 No. 3132

The Civil Procedure Rules 1998

[F1PART 12

DEFAULT JUDGMENT

[F1Procedure for obtaining default judgment

12.4.—(1) Subject to paragraph (3), 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 (Form N205A or N225);

(b) an amount of money to be decided by the court (Form N205B or N227);

(c) delivery of goods where the claim form gives the defendant the alternative of paying their value (N205A, N225); or

(d) any combination of these remedies.

(2) Where the defendant is an individual, the claimant must provide the defendant's date of birth (if known) where required in the form.

(3) The claimant must make an application in accordance with Part 23 if they wish to obtain a default judgment—

(a) on a claim which consists of or includes a claim for any other remedy; or

(b) where rule 12.10 or rule 12.11 says so,

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.

(4) Where a claimant—

(a) claims any other remedy in the claim form in addition to those specified in paragraph (1); but

(b) abandons that claim in their request for judgment,

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

(5) 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 6.10.]

Textual Amendments

F1 Pt. 12 substituted (with application in accordance with rule 1(2) of the amending S.I.) by The Civil Procedure (Amendment) Rules 2022 (S.I. 2022/101), **Sch. 2**