

STATUTORY INSTRUMENTS

1998 No. 3132

The Civil Procedure Rules 1998

PART 15

DEFENCE AND REPLY

The period for filing a defence

15.4.—(1) The general rule is that the period for filing a defence is—

- (a) 14 days after service of the particulars of claim; or
- (b) if the defendant files an acknowledgment of service under Part 10, 28 days after service of the particulars of claim.

(Rule 7.4 provides for the particulars of claim to be contained in or served with the claim form or served within 14 days of service of the claim form)

(2) The general rule is subject to the following rules—

- (a) [^{F1}rule [^{F2}6.35]] (which specifies how the period for filing a defence is calculated where the claim form is served out of the jurisdiction [^{F3}under rule 6.32 or 6.33]);
- (b) rule 11 (which provides that, where the defendant makes an application disputing the court's jurisdiction, [^{F4}the defendant] need not file a defence before the hearing);
- (c) rule 24.4(2) (which provides that, if the claimant applies for summary judgment before the defendant has filed a defence, the defendant need not file a defence before the summary judgment hearing); and
- (d) rule [^{F5}6.12(3)] (which requires the court to specify the period for responding to the particulars of claim when it makes an order under that rule).

Textual Amendments

- F1** Words in rule 15.4(2)(a) substituted (2.5.2000) by [The Civil Procedure \(Amendment No. 2\) Rules 2000 \(S.I. 2000/940\)](#), rules 1, **10**
- F2** Word in rule 15.4(2)(a) substituted (1.10.2008) by [The Civil Procedure \(Amendment\) Rules 2008 \(S.I. 2008/2178\)](#), rules 1(2), **12(a)(i)**
- F3** Words in rule 15.4(2)(a) inserted (1.10.2008) by [The Civil Procedure \(Amendment\) Rules 2008 \(S.I. 2008/2178\)](#), rules 1(2), **12(a)(ii)**
- F4** Words in rule 15.4(2)(b) substituted (1.10.2008) by [The Civil Procedure \(Amendment\) Rules 2008 \(S.I. 2008/2178\)](#), rules 1(2), **12(b)**
- F5** Word in rule 15.4(2)(d) substituted (1.10.2008) by [The Civil Procedure \(Amendment\) Rules 2008 \(S.I. 2008/2178\)](#), rules 1(2), **12(c)**

Commencement Information

- I1** [Rule 15.4](#) in force at 26.4.1999, see [Signature](#)

Status:

Point in time view as at 01/10/2017. This version of this provision has been superseded.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 15.4.