
STATUTORY INSTRUMENTS

1998 No. 3132

The Civil Procedure Rules 1998

[^{F1}PART 19

PARTIES AND GROUP LITIGATION

II REPRESENTATIVE PARTIES

[^{F1}Power to make judgments binding on non-parties

[^{F2}19.13].—(1) This rule applies to any claim relating to—

- (a) the estate of a deceased person;
- (b) property subject to a trust; or
- (c) the sale of any property.

(2) The court may at any time direct that notice of—

- (a) the claim; or
- (b) any judgment or order given in the claim,

be served on any person who is not a party but who is or may be affected by it.

(3) An application under this rule—

- (a) may be made without notice; and
- (b) must be supported by written evidence which includes the reasons why the person to be served should be bound by the judgment in the claim.

(4) Unless the court orders otherwise—

- (a) a notice of a claim or of a judgment or order under this rule must be—
 - (i) in the [^{F3}prescribed] form ^{F4}...;
 - (ii) issued by the court; and
 - (iii) accompanied by a form of acknowledgment of service with any necessary modifications;
- (b) a notice of a claim must also be accompanied by—
 - (i) a copy of the claim form; and
 - (ii) such other statements of case, witness statements or affidavits as the court may direct; and
- (c) a notice of a judgment or order must also be accompanied by a copy of the judgment or order.

(5) If a person served with notice of a claim files an acknowledgment of service of the notice within 14 days [^{F5}they] will become a party to the claim.

Status: Point in time view as at 06/04/2023.

Changes to legislation: There are currently no known outstanding effects for the The Civil Procedure Rules 1998, Section 19.13. (See end of Document for details)

(6) If a person served with notice of a claim does not acknowledge service of the notice [^{F6}they] will be bound by any judgment given in the claim as if he were a party.

(7) If, after service of a notice of a claim on a person, the claim form is amended so as substantially to alter the remedy claimed, the court may direct that a judgment shall not bind that person unless a further notice, together with a copy of the amended claim form, is served on [^{F7}them].

(8) Any person served with a notice of a judgment or order under this rule—

(a) shall be bound by the judgment or order as if [^{F8}they] had been a party to the claim; but

(b) may, provided [^{F9}they] acknowledges service—

(i) within 28 days after the notice is served on [^{F10}them], apply to the court to set aside or vary the judgment or order; and

(ii) take part in any proceedings relating to the judgment or order.

(9) The following rules of Part 10 (acknowledgment of service) apply—

(a) rule 10.4; and

(b) rule 10.5, subject to the modification that references to the defendant are to be read as references to the person served with the notice.

(10) A notice under this rule is issued on the date entered on the notice by the court.]

Textual Amendments

- F1** Pt. 19 substituted (2.5.2000) by [The Civil Procedure \(Amendment\) Rules 2000 \(S.I. 2000/221\)](#), rule 1(b), [Sch. 2](#)
- F2** Rule 19.8A renumbered as rule 19.13 (6.4.2023) by [The Civil Procedure \(Amendment\) Rules 2023 \(S.I. 2023/105\)](#), rules 1(1), [12\(14\)](#)
- F3** Word in rule 19.13(4)(a)(i) inserted (6.4.2023) by [The Civil Procedure \(Amendment\) Rules 2023 \(S.I. 2023/105\)](#), rules 1(1), [12\(14\)\(a\)\(i\)](#)
- F4** Words in rule 19.13(4)(a)(i) omitted (6.4.2023) by virtue of [The Civil Procedure \(Amendment\) Rules 2023 \(S.I. 2023/105\)](#), rules 1(1), [12\(14\)\(a\)\(ii\)](#)
- F5** Word in rule 19.13(5) substituted (6.4.2023) by [The Civil Procedure \(Amendment\) Rules 2023 \(S.I. 2023/105\)](#), rules 1(1), [12\(14\)\(b\)](#)
- F6** Word in rule 19.13(6) substituted (6.4.2023) by [The Civil Procedure \(Amendment\) Rules 2023 \(S.I. 2023/105\)](#), rules 1(1), [12\(14\)\(c\)](#)
- F7** Word in rule 19.13(7) substituted (6.4.2023) by [The Civil Procedure \(Amendment\) Rules 2023 \(S.I. 2023/105\)](#), rules 1(1), [12\(14\)\(d\)](#)
- F8** Word in rule 19.13(8)(a) substituted (6.4.2023) by [The Civil Procedure \(Amendment\) Rules 2023 \(S.I. 2023/105\)](#), rules 1(1), [12\(14\)\(e\)\(i\)](#)
- F9** Word in rule 19.13(8)(b) substituted (6.4.2023) by [The Civil Procedure \(Amendment\) Rules 2023 \(S.I. 2023/105\)](#), rules 1(1), [12\(14\)\(e\)\(ii\)\(aa\)](#)
- F10** Word in rule 19.13(8)(b) substituted (6.4.2023) by [The Civil Procedure \(Amendment\) Rules 2023 \(S.I. 2023/105\)](#), rules 1(1), [12\(14\)\(e\)\(ii\)\(bb\)](#)

Status:

Point in time view as at 06/04/2023.

Changes to legislation:

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