
STATUTORY INSTRUMENTS

1998 No. 3132

The Civil Procedure Rules 1998

[^{F1}PART 19

PARTIES AND GROUP LITIGATION

1 ADDITION AND SUBSTITUTION OF PARTIES

[^{F1}Procedure for adding and substituting parties

19.4.—(1) The court's permission is required to remove, add or substitute a party, unless the claim form has not been served.

(2) An application for permission under paragraph (1) may be made by—

- (a) an existing party; or
- (b) a person who wishes to become a party.

(3) An application for an order under rule 19.2(4) (substitution of a new party where existing party's interest or liability has passed)—

- (a) may be made without notice; and
- (b) must be supported by evidence.

(4) Nobody may be added or substituted as a claimant unless—

- (a) he has given his consent in writing; and
- (b) that consent has been filed with the court.

[^{F2}(4A) The Commissioners for HM Revenue and Customs may be added as a party to proceedings only if they consent in writing.]

(5) An order for the removal, addition or substitution of a party must be served on—

- (a) all parties to the proceedings; and
- (b) any other person affected by the order.

(6) When the court makes an order for the removal, addition or substitution of a party, it may give consequential directions about—

- (a) filing and serving the claim form on any new defendant;
- (b) serving relevant documents on the new party; and
- (c) the management of the proceedings.]

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](#)

Status: Point in time view as at 01/10/2007. This version of this provision has been superseded.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 19.4. (See end of Document for details)

F2 Rule 19.4(4A) inserted (1.10.2005) by The Civil Procedure (Amendment No.3) Rules 2005 (S.I. 2005/2292), rules 1(c), **23**

Status:

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