
STATUTORY INSTRUMENTS

1998 No. 3132

The Civil Procedure Rules 1998

[^{F1}PART 19

PARTIES AND GROUP LITIGATION

II REPRESENTATIVE PARTIES

[^{F1}Representation of interested persons who cannot be ascertained etc.

- 19.7.**—(1) This rule applies to claims about—
- (a) the estate of a deceased person;
 - (b) property subject to a trust; or
 - (c) the meaning of a document, including a statute.
- (2) The court may make an order appointing a person to represent any other person or persons in the claim where the person or persons to be represented—
- (a) are unborn;
 - (b) cannot be found;
 - (c) cannot easily be ascertained; or
 - (d) are a class of persons who have the same interest in a claim and—
 - (i) one or more members of that class are within sub-paragraphs (a), (b) or (c); or
 - (ii) to appoint a representative would further the overriding objective.
- (3) An application for an order under paragraph (2)—
- (a) may be made by—
 - (i) any person who seeks to be appointed under the order; or
 - (ii) any party to the claim; and
 - (b) may be made at any time before or after the claim has started.
- (4) An application notice for an order under paragraph (2) must be served on—
- (a) all parties to the claim, if the claim has started;
 - (b) the person sought to be appointed, if that person is not the applicant or a party to the claim; and
 - (c) any other person as directed by the court.
- (5) The court's approval is required to settle a claim in which a party is acting as a representative under this rule.
- (6) The court may approve a settlement where it is satisfied that the settlement is for the benefit of all the represented persons.

Status: Point in time view as at 22/08/2020. This version of this provision has been superseded.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 19.7. (See end of Document for details)*

(7) Unless the court otherwise directs, any judgment or order given in a claim in which a party is acting as a representative under this rule—

- (a) is binding on all persons represented in the claim; but
- (b) may only be enforced by or against a person who is not a party to the claim with the permission of 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](#)

Status:

Point in time view as at 22/08/2020. This version of this provision has been superseded.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 19.7.