
STATUTORY INSTRUMENTS

1998 No. 3132

The Civil Procedure Rules 1998

[^{F1}PART 19

PARTIES AND GROUP LITIGATION

II REPRESENTATIVE PARTIES

[^{F1}]^{F2}Derivative claims— how started

19.9.—(1) This rule—

- (a) applies to a derivative claim (where a company, other body corporate or trade union is alleged to be entitled to claim a remedy, and a claim is made by a member of it for it to be given that remedy), whether under Chapter 1 of Part 11 of the Companies Act 2006 or otherwise; but
 - (b) does not apply to a claim made pursuant to an order under section [^{F3}996] of that Act.
- (2) A derivative claim must be started by a claim form.
- (3) The company, body corporate or trade union for the benefit of which a remedy is sought must be made a defendant to the claim.
- (4) After the issue of the claim form, the claimant must not take any further step in the proceedings without the permission of the court, other than—
- (a) a step permitted or required by rule 19.9A or 19.9C; or
 - (b) making an urgent application for interim relief.]]

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** Rules 19.9-19.9F substituted for rule 19.9 (1.10.2007) by [The Civil Procedure \(Amendment\) Rules 2007 \(S.I. 2007/2204\)](#), rule 1, [Sch. 1](#) (with rule 21)
- F3** Word in rule 19.9(1)(b) substituted (6.4.2008) by [The Civil Procedure \(Amendment No.2\) Rules 2007 \(S.I. 2007/3543\)](#), rules 1(b), [5\(a\)](#)

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Point in time view as at 01/10/2017. This version of this provision has been superseded.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 19.9.