
STATUTORY INSTRUMENTS

1998 No. 3132

The Civil Procedure Rules 1998

[^{F1}PART 19

PARTIES AND GROUP LITIGATION

II REPRESENTATIVE PARTIES

[^{F1}]^{F2}**Derivative claims – other bodies corporate and trade unions**

19.9C.—(1) This rule sets out the procedure where—

(a) either—

(i) a body corporate to which Chapter 1 of Part 11 of the Companies Act 2006 does not apply; or

(ii) a trade union,

is alleged to be entitled to a remedy; and

(b) either—

(i) a claim is made by a member for it to be given that remedy; or

(ii) a member of the body corporate or trade union seeks to take over a claim already started, by the body corporate or trade union or one or more of its members, for it to be given that remedy.

(2) The member who starts, or seeks to take over, the claim must apply to the court for permission to continue the claim.

(3) The application for permission must be made by an application notice in accordance with Part 23.

(4) The procedure for applications in relation to companies under section 261, 262 or 264 (as the case requires) of the Companies Act 2006 applies to the permission application as if the body corporate or trade union were a company.

[^{F3}(5) Rules 19.9A (except for paragraph (1) of that rule) and 19.9B apply to the permission application as if the body corporate or trade union were a company.]]]

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 Rule 19.9C(5) substituted (6.4.2008) by [The Civil Procedure \(Amendment No.2\) Rules 2007 \(S.I. 2007/3543\)](#), rules 1(b), [5\(c\)](#)

Status:

Point in time view as at 06/04/2008. This version of this provision has been superseded.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 19.9C.