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STATUTORY INSTRUMENTS

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**1998 No. 3132**

**The Civil Procedure Rules 1998**

**PART 2**

**APPLICATION AND INTERPRETATION OF THE RULES**

**Interpretation**

**2.3.—(1)** In these Rules—

“child” has the meaning given by rule 21.1(2);

[<sup>F1</sup>“civil restraint order” means an order restraining a party—

- (a) from making any further applications in current proceedings (a limited civil restraint order);
- (b) from issuing certain claims or making certain applications in specified courts (an extended civil restraint order); or
- (c) from issuing any claim or making any application in specified courts (a general civil restraint order).]

“claim for personal injuries” means proceedings in which there is a claim for damages in respect of personal injuries to the claimant or any other person or in respect of a person’s death, and “personal injuries” includes any disease and any impairment of a person’s physical or mental condition;

“claimant” means a person who makes a claim;

“CCR” is to be interpreted in accordance with Part 50;

“court officer” means a member of the court staff;

“defendant” means a person against whom a claim is made;

[<sup>F2</sup>“defendant’s home court” means—

- (a) [<sup>F3</sup>if a claim is proceeding in the County Court, the County Court hearing centre serving the address where the defendant resides or carries on business; and]
- (b) if the claim is proceeding in the High Court, the district registry for the district in which the defendant resides or carries on business or, where there is no such district registry, the Royal Courts of Justice;]

([<sup>F4</sup>Rule 6.23] provides for a party to give an address for service)

<sup>F5</sup> ...

“filing”, in relation to a document, means delivering it, by post or otherwise, to the court office;

“judge” means, unless the context otherwise requires, a judge, Master or [<sup>F6</sup>District Judge] or a person authorised to act as such;

[<sup>F7</sup>‘judge of the County Court’ has the meaning given in section 5 of the County Courts Act 1984;]

“jurisdiction” means, unless the context otherwise requires, England and Wales and any part of the territorial waters of the United Kingdom adjoining England and Wales;

[<sup>F8</sup>“justices’ legal adviser” means a person nominated by the Lord Chancellor who is authorised to exercise functions under section 28(1) of the Courts Act 2003;]

[<sup>F9</sup>“legal representative” means a—

- (a) barrister;
- (b) solicitor;
- (c) solicitor’s employee;
- (d) manager of a body recognised under section 9 of the Administration of Justice Act 1985;  
or
- (e) person who, for the purposes of the Legal Services Act 2007, is an authorised person in relation to an activity which constitutes the conduct of litigation (within the meaning of that Act),

who has been instructed to act for a party in relation to proceedings;]

“litigation friend” has the meaning given by Part 21;

[<sup>F10</sup>“preferred hearing centre” means, if the claim is proceeding in the County Court, the County Court hearing centre the claimant has specified in practice form N1 as the hearing centre to which the proceedings should be sent if necessary;]

[<sup>F11</sup>“protected party”] has the meaning given by rule 21.1(2);

“RSC” is to be interpreted in accordance with Part 50;

“statement of case”—

- (a) means a claim form, particulars of claim where these are not included in a claim form, defence, Part 20 claim, or reply to defence; and
- (b) includes any further information given in relation to them voluntarily or by court order under rule 18.1;

“statement of value” is to be interpreted in accordance with rule 16.3;

“summary judgment” is to be interpreted in accordance with Part 24.

(2) A reference to a “specialist list” is a reference to a list<sup>(GL)</sup> that has been designated as such by a [<sup>F12</sup>rule or] practice direction.

(3) Where the context requires, a reference to “the court” means a reference to [<sup>F13</sup>the County Court], a [<sup>F14</sup>District Registry], or the Royal Courts of Justice.

#### Textual Amendments

- F1** Words in rule 2.3(1) inserted (1.10.2004) by [The Civil Procedure \(Amendment No.2\) Rules 2004 \(S.I. 2004/2072\)](#), rules 1(b), 3
- F2** Words in rule 2.3(1) substituted (2.10.2000) by [The Civil Procedure \(Amendment No. 4\) Rules 2000 \(S.I. 2000/2092\)](#), rules 1, 3
- F3** Words in rule 2.3(1) substituted (22.4.2014) by [The Civil Procedure \(Amendment\) Rules 2014 \(S.I. 2014/407\)](#), rules 2(1), **5(a)(i)**; S.I. 2014/954, art. 2(a)
- F4** Words in rule 2.3(1) substituted (1.10.2008) by [The Civil Procedure \(Amendment\) Rules 2008 \(S.I. 2008/2178\)](#), rules 1(2), 3
- F5** Words in rule 2.3 omitted (22.4.2014) by virtue of [The Civil Procedure \(Amendment\) Rules 2014 \(S.I. 2014/407\)](#), rules 2(1), **5(a)(ii)**; S.I. 2014/954, art. 2(a)

- F6** Words in Rules substituted (22.4.2014) by The Civil Procedure (Amendment) Rules 2014 (S.I. 2014/407), rules 2(1), **4(a)(iv)**; S.I. 2014/954, art. 2(a)
- F7** Words in rule 2.3 inserted (22.4.2014) by The Civil Procedure (Amendment) Rules 2014 (S.I. 2014/407), rules 2(1), **5(a)(iii)**; S.I. 2014/954, art. 2(a)
- F8** Words in rule 2.3(1) inserted (6.4.2020) by The Courts and Tribunals (Judiciary and Functions of Staff) Act 2018 (Consequential, Transitional and Saving Provision) Regulations 2020 (S.I. 2020/100), reg. 1(2), **Sch. para. 5(2)** (with reg. 4)
- F9** Words in rule 2.3(1) substituted (1.2.2010) by The Civil Procedure (Amendment No.2) Rules 2009 (S.I. 2009/3390), rules 1(3), **3(a)**
- F10** Words in rule 2.3 substituted (22.4.2014) by The Civil Procedure (Amendment) Rules 2014 (S.I. 2014/407), rules 2(1), **5(a)(iv)**; S.I. 2014/954, art. 2(a)
- F11** Words in rule 2.3(1) substituted (1.10.2007) by The Civil Procedure (Amendment) Rules 2007 (S.I. 2007/2204), rules 1, **3(b)**
- F12** Words in rule 2.3(2) substituted (25.3.2002) by The Civil Procedure (Amendment No. 5) Rules 2001 (S.I. 2001/4015), rules 1(c), **3**
- F13** Words in rule 2.3(3) substituted (22.4.2014) by The Civil Procedure (Amendment) Rules 2014 (S.I. 2014/407), rules 2(1), **5(a)(v)(aa)**; S.I. 2014/954, art. 2(a)
- F14** Words in rule 2.3(3) substituted (22.4.2014) by The Civil Procedure (Amendment) Rules 2014 (S.I. 2014/407), rules 2(1), **5(a)(v)(bb)**; S.I. 2014/954, art. 2(a)

#### **Commencement Information**

- I1** Rule 2.3 in force at 26.4.1999, see **Signature**

**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 2.3.