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STATUTORY INSTRUMENTS

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**1998 No. 3132**

**The Civil Procedure Rules 1998**

**[<sup>F1</sup>PART 24 E+W**

**SUMMARY JUDGMENT**

**[<sup>F1</sup>Application notice and evidence E+W**

**24.5.**—(1) The application notice must—

- (a) state that the application is for summary judgment;
- (b) identify concisely any point of law or document relied upon;
- (c) set out or attach any written evidence on which the applicant relies;
- (d) state that the applicant believes the respondent has no real prospect of succeeding on the claim, defence or issue to be determined;
- (e) state that the applicant knows of no reason why the disposal of the claim, defence or issue should await trial; and
- (f) draw the respondent's attention to their right to rely on evidence opposing the application.

(2) In claims falling within rule 24.4(3), the application notice must also have attached to it the text of the order sought by the claimant and must be served on the respondent not less than 4 days before the hearing of the application.

(3) If a party wishes to rely on written evidence at the hearing, other than in a claim under rule 24.4(3), they must file and serve copies of such evidence on every other party at least—

- (a) 7 days before the hearing in the case of a respondent's evidence, or evidence of any party where the hearing is fixed by the court of its own initiative;
- (b) 3 days before the hearing in the case of an applicant's evidence in reply, or reply evidence of any party where the hearing is fixed by the court of its own initiative.

(4) This rule does not require written evidence—

- (a) to be filed if it has already been filed; or
- (b) to be served on a party on whom it has already been served.]

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**Textual Amendments**

**F1** Pt. 24 substituted (1.10.2023 immediately after S.I. 2023/572 comes into force) by The Civil Procedure (Amendment No. 3) Rules 2023 (S.I. 2023/788), rule 1(1), Sch. 2

**Changes to legislation:**

There are currently no known outstanding effects for the The Civil Procedure Rules 1998, Section 24.5.