
STATUTORY INSTRUMENTS

1998 No. 3132

The Civil Procedure Rules 1998

PART 25

[^{F1}INTERIM REMEDIES AND SECURITY FOR COSTS]

[^{F1}INTERIM REMEDIES]

Orders for interim remedies

25.1.—(1) The court may grant the following interim remedies—

- (a) an interim injunction^(GL);
- (b) an interim declaration;
- (c) an order—
 - (i) for the detention, custody or preservation of relevant property;
 - (ii) for the inspection of relevant property;
 - (iii) for the taking of a sample of relevant property;
 - (iv) for the carrying out of an experiment on or with relevant property;
 - (v) for the sale of relevant property which is of a perishable nature or which for any other good reason it is desirable to sell quickly; and
 - (vi) for the payment of income from relevant property until a claim is decided;
- (d) an order authorising a person to enter any land or building in the possession of a party to the proceedings for the purposes of carrying out an order under sub-paragraph (c);
- (e) an order under section 4 of the Torts (Interference with Goods) Act 1977⁽¹⁾ to deliver up goods;
- (f) an order (referred to as a “freezing injunction^(GL)”)—
 - (i) restraining a party from removing from the jurisdiction assets located there; or
 - (ii) restraining a party from dealing with any assets whether located within the jurisdiction or not;
- (g) an order directing a party to provide information about the location of relevant property or assets or to provide information about relevant property or assets which are or may be the subject of an application for a freezing injunction^(GL);

⁽¹⁾ 1977 c. 32; section 4 was amended by the Supreme Court Act 1981 (c. 54), section 152(1), Schedule 5; by the County Courts Act 1984 (c. 28), section 148(1), Schedule 2, Part V, paragraph 64 and by S.I. 1980/397 (N13).

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Changes to legislation: There are currently no known outstanding effects for the The Civil Procedure Rules 1998, Section 25.1. (See end of Document for details)

- (h) an order (referred to as a “search order”) under section 7 of the Civil Procedure Act 1997(2) (order requiring a party to admit another party to premises for the purpose of preserving evidence etc.);
- (i) an order under section 33 of the Supreme Court Act 1981(3) or section 52 of the County Courts Act 1984(4) (order for disclosure of documents or inspection of property before a claim has been made);
- (j) an order under section 34 of the Supreme Court Act 1981(5) or section 53 of the County Courts Act 1984(6) (order in certain proceedings for disclosure of documents or inspection of property against a non-party);
- (k) an order (referred to as an order for interim payment) under rule 25.6 for payment by a defendant on account of any damages, debt or other sum (except costs) which the court may hold the defendant liable to pay;
- (l) an order for a specified fund to be paid into court or otherwise secured, where there is a dispute over a party’s right to the fund;
- (m) an order permitting a party seeking to recover personal property to pay money into court pending the outcome of the proceedings and directing that, if he does so, the property shall be given up to him; ^{F1}...
- (n) an order directing a party to prepare and file accounts relating to the dispute [^{F2};
- (o) an order directing any account to be taken or inquiry to be made by the court][^{F3}; and
- (p) an order under Article 9 of Council Directive (EC) 2004/48 on the enforcement of intellectual property rights (order in intellectual property proceedings making the continuation of an alleged infringement subject to the lodging of guarantees).]

(Rule 34.2 provides for the court to issue a witness summons requiring a witness to produce documents to the court at the hearing or on such date as the court may direct)

(2) In paragraph (1)(c) and (g), “relevant property” means property (including land) which is the subject of a claim or as to which any question may arise on a claim.

(3) The fact that a particular kind of interim remedy is not listed in paragraph (1) does not affect any power that the court may have to grant that remedy.

(4) The court may grant an interim remedy whether or not there has been a claim for a final remedy of that kind.

Textual Amendments

- F1** Word in rule 25.1(1)(m) omitted (2.12.2002) by virtue of [The Civil Procedure \(Amendment\) Rules 2002 \(S.I. 2002/2058\)](#), rules 1(b), **7(a)**
- F2** Rule 25.1(1)(o) inserted (2.12.2002) by [The Civil Procedure \(Amendment\) Rules 2002 \(S.I. 2002/2058\)](#), rules 1(b), **7(b)**
- F3** Rule 25.1(p) and word inserted (6.4.2006) by [The Civil Procedure \(Amendment No.4\) Rules 2005 \(S.I. 2005/3515\)](#), rules 1, **7(a)(ii)**

(2) 1997 c. 12.

(3) 1981 c. 54. Section 33 was amended by [S.I. 1998/ 2940](#).

(4) 1984 c. 28. Section 52 was amended by the Courts and Legal Services Act 1990 (c. 41), Schedule 18, paragraph 43 and by [S.I. 1998/2940](#).

(5) 1981 c. 54. Section 34 was amended by [S.I. 1998/ 2940](#).

(6) 1984 c. 28. Section 53 was amended by the Courts and Legal Services Act 1990 (c. 41), Schedule 18, paragraph 44 and by [S.I. 1998/2940](#).

Commencement Information

II [Rule 25.1](#) in force at 26.4.1999, see [Signature](#)

Status:

Point in time view as at 31/01/2019.

Changes to legislation:

There are currently no known outstanding effects for the The Civil Procedure Rules 1998, Section 25.1.