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STATUTORY INSTRUMENTS

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**1998 No. 3132**

**The Civil Procedure Rules 1998**

**PART 25**

**[<sup>F1</sup>INTERIM REMEDIES AND SECURITY FOR COSTS]**

***[<sup>F1</sup>II SECURITY FOR COSTS***

**[<sup>F1</sup>Conditions to be satisfied**

**25.13.—**(1) The court may make an order for security for costs under rule 25.12 if—

- (a) it is satisfied, having regard to all the circumstances of the case, that it is just to make such an order; and
- (b) (i) one or more of the conditions in paragraph (2) applies, or  
(ii) an enactment permits the court to require security for costs.

(2) The conditions are—

[<sup>F2</sup>(a) the claimant is—

- (i) resident out of the jurisdiction; but
- (ii) not resident in a Brussels Contracting State, a Lugano Contracting State or a Regulation State, as defined in section 1(3) of the Civil Jurisdiction and Judgments Act 1982;]

<sup>F3</sup>(b) .....

- (c) the claimant is a company or other body (whether incorporated inside or outside Great Britain) and there is reason to believe that it will be unable to pay the defendant's costs if ordered to do so;
- (d) the claimant has changed his address since the claim was commenced with a view to evading the consequences of the litigation;
- (e) the claimant failed to give his address in the claim form, or gave an incorrect address in that form;
- (f) the claimant is acting as a nominal claimant, other than as a representative claimant under Part 19, and there is reason to believe that he will be unable to pay the defendant's costs if ordered to do so;
- (g) the claimant has taken steps in relation to his assets that would make it difficult to enforce an order for costs against him.

(Rule 3.4 allows the court to strike out a statement of case and Part 24 for it to give summary judgment)]

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**Status:** Point in time view as at 01/10/2007. This version of this provision has been superseded.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 25.13. (See end of Document for details)

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**Textual Amendments**

- F1** Pt. 25 Section 2 inserted (2.5.2000) by [The Civil Procedure \(Amendment\) Rules 2000 \(S.I. 2000/221\)](#), rule 1(b), **Sch. 3 Pt. 2**
- F2** Rule 25.13(2)(a) substituted (1.4.2003) by [The Civil Procedure \(Amendment No. 2\) Rules 2002 \(S.I. 2002/3219\)](#), rules 1, **3(a)**
- F3** Rule 25.13(2)(b) omitted (1.4.2003) by virtue of [The Civil Procedure \(Amendment No. 2\) Rules 2002 \(S.I. 2002/3219\)](#), rules 1, **3(b)**
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**Modifications etc. (not altering text)**

- C1** Rules 25.12-25.15 applied (with modifications) (1.10.2007) by [The Court of Protection Rules 2007 \(S.I. 2007/1744\)](#), rules 1, **25(7)**

**Status:**

Point in time view as at 01/10/2007. 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 25.13.