

STATUTORY INSTRUMENTS

1998 No. 3132

The Civil Procedure Rules 1998

PART 26

CASE MANAGEMENT—PRELIMINARY STAGE

Allocation

26.5.—^{F1}(1) The court will allocate the claim to a track—

- (a) when all parties have filed their directions questionnaires; or
- (b) when giving directions pursuant to rule 26.3(8),

unless it has stayed the proceedings under rule 26.4.]

(Rules 12.7 and 14.8 provide for the court to allocate a claim to a track where the claimant obtains default judgment on request or judgment on admission for an amount to be decided by the court)

(2) If the court has stayed^(GL) the proceedings under rule 26.4, it will allocate the claim to a track at the end of the period of the stay.

^{F2}(2A) If—

- (a) a claim is referred to the Mediation Service pursuant to rule 26.4A; and
- (b) the court has not been notified in writing that a settlement has been agreed,

the claim will be allocated to a track in accordance with this rule no later than four weeks from the date on which the last directions questionnaire is filed.]

(3) Before deciding the track to which to allocate proceedings or deciding whether to give directions for an allocation hearing to be fixed, the court may order a party to provide further information about his case.

(4) The court may hold an allocation hearing if it thinks it is necessary.

^{F3}(5)

Textual Amendments

- F1** Rule 26.5(1) substituted (1.4.2013) by [The Civil Procedure \(Amendment\) Rules 2013 \(S.I. 2013/262\)](#), rules 2, **8(e)(i)** (with rule 22)
- F2** Rule 26.5(2A) inserted (1.4.2014) by [The Civil Procedure \(Amendment\) Rules 2014 \(S.I. 2014/407\)](#), rules 2(2), **14(g)** (with rule 41(6)(7))
- F3** Rule 26.5(5) omitted (1.4.2013) by virtue of [The Civil Procedure \(Amendment\) Rules 2013 \(S.I. 2013/262\)](#), rules 2, **8(e)(ii)** (with rule 22)

Commencement Information

- I1** Rule 26.5 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Point in time view as at 22/08/2020. This version of this provision has been superseded.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 26.5.