
STATUTORY INSTRUMENTS

1998 No. 3132

The Civil Procedure Rules 1998

PART 27

THE SMALL CLAIMS TRACK

Non-attendance of parties at a final hearing

27.9.—(1) If a party who does not attend a final hearing—

- (a) has given the court written notice at least 7 days before the date of the hearing that he will not attend; and
- (b) has, in that notice, requested the court to decide the claim in his absence,

the court will take into account that party's statement of case and any other documents he has filed when it decides the claim.

(2) If a claimant does not—

- (a) attend the hearing; and
- (b) give the notice referred to in paragraph (1)

the court may strike out^(GL) the claim.

(3) If—

- (a) a defendant does not
 - (i) attend the hearing; or
 - (ii) give the notice referred to in paragraph (1); and
- (b) the claimant either—
 - (i) does attend the hearing; or
 - (ii) gives the notice referred to in paragraph (1),

the court may decide the claim on the basis of the evidence of the claimant alone.

(4) If neither party attends or gives the notice referred to in paragraph (1), the court may strike out^(GL) the claim and any defence and counterclaim.