
Status: Point in time view as at 02/10/2006. This version of this provision has been superseded.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 38.7. (See end of Document for details)*

STATUTORY INSTRUMENTS

1998 No. 3132

The Civil Procedure Rules 1998

PART 38

DISCONTINUANCE

Discontinuance and subsequent proceedings

38.7 A claimant who discontinues a claim needs the permission of the court to make another claim against the same defendant if—

- (a) he discontinued the claim after the defendant filed a defence; and
- (b) the other claim arises out of facts which are the same or substantially the same as those relating to the discontinued claim.

Commencement Information

II [Rule 38.7](#) in force at 26.4.1999, see [Signature](#)

Status:

Point in time view as at 02/10/2006. This version of this provision has been superseded.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 38.7.