

---

STATUTORY INSTRUMENTS

---

**1998 No. 3132**

The Civil Procedure Rules 1998

PART 40

JUDGMENTS AND ORDERS

**Judgment in favour of certain part owners relating to the detention of goods**

**40.14.**—(1) In this rule “part owner” means one of two or more persons who have an interest in the same goods.

(2) Where—

(a) a part owner makes a claim relating to the detention of the goods; and

(b) the claim is not based on a right to possession,

any judgment or order given or made in respect of the claim is to be for the payment of damages only, unless the claimant had the written authority of every other part owner of the goods to make the claim on his behalf as well as for himself.

(3) This rule applies notwithstanding anything in subsection (3) of section 3 of the Torts (Interference with Goods) Act 1977<sup>(1)</sup>, but does not affect the remedies and jurisdiction mentioned in subsection (8) of that section.