

STATUTORY INSTRUMENTS

1998 No. 3132

The Civil Procedure Rules 1998

PART 40

[^{F1}JUDGMENTS, ORDERS, SALE OF LAND ETC]

[^{F1}I JUDGMENTS AND ORDERS]

Standard requirements

40.2.—(1) Every judgment or order must state the name and judicial title of the person who made it, unless it is—

- (a) default judgment entered under rule 12.4(1) (entry of default judgment where judgment is entered by a court officer) or a default costs certificate obtained under rule 47.11;
 - (b) judgment [^{F1}on admission] entered under [^{F2}Part 14 where judgment is entered by a court officer];
 - (c) a consent order under rule 40.6(2) (consent orders made by court officers) [^{F3};
 - (d) an order made by a court officer under rule 70.5 (orders to enforce awards as if payable under a court order); or
 - (e) an order made by a court officer under rule 71.2 (orders to obtain information from judgment debtors).]
- (2) Every judgment or order must—
- (a) bear the date on which it is given or made; and
 - (b) be sealed^(GL) by the court.

[^{F4}(3) Paragraph (4) applies where a party applies for permission to appeal against a judgment or order at the hearing at which the judgment or order was made [^{F5}or any adjournment of that hearing].

(4) Where this paragraph applies, the judgment or order shall state—

- ^{F6}(a)
- (b) whether an appeal lies from the judgment or order and, if so, to which appeal court [^{F7}, with an indication of the division of the High Court where the High Court is the appeal court];
- (c) whether the court gives permission to appeal; and
- (d) if not, the appropriate appeal court [^{F8}, including the appropriate division where relevant,] to which any further application for permission may be made.]

^{F9}

Textual Amendments

- F1** Words in rule 40.2(1)(b) inserted (1.10.2023 immediately after S.I. 2023/572 comes into force) by [The Civil Procedure \(Amendment No. 3\) Rules 2023 \(S.I. 2023/788\)](#), rules 1(1), **22(1)(a)**
- F2** Words in rule 40.2(1)(b) substituted (1.10.2023 immediately after S.I. 2023/572 comes into force) by [The Civil Procedure \(Amendment No. 3\) Rules 2023 \(S.I. 2023/788\)](#), rules 1(1), **22(1)(b)**
- F3** Rule 40.2(1)(d)(e) inserted (25.3.2002) by [The Civil Procedure \(Amendment No. 4\) Rules 2001 \(S.I. 2001/2792\)](#), rules 1(c), **4(b)** (with rule 24)
- F4** Rule 40.2(3)(4) inserted (6.4.2006) by [The Civil Procedure \(Amendment No.4\) Rules 2005 \(S.I. 2005/3515\)](#), rules 1, **9**
- F5** Words in rule 40.2(3) inserted (1.10.2021) by [The Civil Procedure \(Amendment No. 4\) Rules 2021 \(S.I. 2021/855\)](#), rules 1(1), **8**
- F6** Rule 40.2(4)(a) omitted (3.10.2016) by virtue of [The Civil Procedure \(Amendment No. 3\) Rules 2016 \(S.I. 2016/788\)](#), rules 2, **7(a)**
- F7** Words in rule 40.2(4)(b) inserted (3.10.2016) by [The Civil Procedure \(Amendment No. 3\) Rules 2016 \(S.I. 2016/788\)](#), rules 2, **7(b)**
- F8** Words in rule 40.2(4)(d) inserted (3.10.2016) by [The Civil Procedure \(Amendment No. 3\) Rules 2016 \(S.I. 2016/788\)](#), rules 2, **7(c)**
- F9** Words in rule 40.2 omitted (1.10.2012) by virtue of [The Civil Procedure \(Amendment No.2\) Rules 2012 \(S.I. 2012/2208\)](#), rules 1, **7**

Commencement Information

- I1** Rule 40.2 in force at 26.4.1999, see [Signature](#)

Changes to legislation:

There are currently no known outstanding effects for the The Civil Procedure Rules 1998, Section 40.2.