
STATUTORY INSTRUMENTS

1998 No. 3132

The Civil Procedure Rules 1998

PART 5

COURT DOCUMENTS

[^{F1}Supply of documents to a non-party from court records

5.4C.—(1) The general rule is that a person who is not a party to proceedings may obtain from the court records a copy of—

- (a) a statement of case, but not any documents filed with or attached to the statement of case, or intended by the party whose statement it is to be served with it;
- (b) a judgment or order given or made in public (whether made at a hearing or without a hearing).

[
^{F2}(1A) Where a non-party seeks to obtain a copy of a statement of case filed before 2nd October 2006—

- (a) this rule does not apply; and
- (b) the rules of court relating to access by a non-party to statements of case in force immediately before 2nd October 2006 apply as if they had not been revoked.

(The rules relating to access by a non-party to statements of case in force immediately before 2nd October 2006 were contained in the former rule 5.4(5) to 5.4(9). [^{F3}Practice Direction 5A] sets out the relevant provisions as they applied to statements of case.)]

(2) A non-party may, if the court gives permission, obtain from the records of the court a copy of any other document filed by a party, or communication between the court and a party or another person.

(3) A non-party may obtain a copy of a statement of case or judgment or order under paragraph (1) only if—

- (a) where there is one defendant, the defendant has filed an acknowledgment of service or a defence;
- (b) where there is more than one defendant, either—
 - (i) all the defendants have filed an acknowledgment of service or a defence;
 - (ii) at least one defendant has filed an acknowledgment of service or a defence, and the court gives permission;
- (c) the claim has been listed for a hearing; or
- (d) judgment has been entered in the claim.

(4) The court may, on the application of a party or of any person identified in a statement of case—

- (a) order that a non-party may not obtain a copy of [^{F4}a statement of case] under paragraph (1);

Status: Point in time view as at 06/04/2010. This version of this provision has been superseded.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 5.4C. (See end of Document for details)*

- (b) restrict the persons or classes of persons who may obtain a copy of [^{F4}a statement of case];
- (c) order that persons or classes of persons may only obtain a copy of [^{F4}a statement of case] if it is edited in accordance with the directions of the court; or
- (d) make such other order as it thinks fit.

(5) A person wishing to apply for an order under paragraph (4) must file an application notice in accordance with Part 23.

(6) Where the court makes an order under paragraph (4), a non-party who wishes to obtain a copy of the statement of case, or to obtain an unedited copy of the statement of case, may apply on notice to the party or person identified in the statement of case who requested the order, for permission.]

Textual Amendments

- F1** Rules 5.4B-5.4D inserted (2.10.2006) by [The Civil Procedure \(Amendment\) Rules 2006 \(S.I. 2006/1689\)](#), rules 1, **3(b)**
- F2** [Rule 5.4C\(1A\)](#) inserted (18.12.2006) by [The Civil Procedure \(Amendment No.2\) Rules 2006 \(S.I. 2006/3132\)](#), rules 1, **3(a)**
- F3** Words in [rule 5.4C\(1A\)](#) substituted (6.4.2010) by [The Civil Procedure \(Amendment No.2\) Rules 2009 \(S.I. 2009/3390\)](#), rules 1(2), **4(c)**
- F4** Words in [rule 5.4C\(4\)](#) substituted (18.12.2006) by [The Civil Procedure \(Amendment No.2\) Rules 2006 \(S.I. 2006/3132\)](#), rules 1, **3(b)**

Status:

Point in time view as at 06/04/2010. 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 5.4C.