

STATUTORY INSTRUMENTS

1998 No. 3132

The Civil Procedure Rules 1998

[^{F1}PART 56

**LANDLORD AND TENANT CLAIMS AND
MISCELLANEOUS PROVISIONS ABOUT LAND**

I—LANDLORD AND TENANT CLAIMS

[^{F1}]^{F2}Claims for a new tenancy under section 24 and for the termination of a tenancy under section 29(2) of the Landlord and Tenant Act 1954

56.3.—(1) This rule applies to a claim for a new tenancy under section 24 and to a claim for the termination of a tenancy under section 29(2) of the 1954 Act.

(2) In this rule—

- (a) “the 1954 Act” means the Landlord and Tenant Act 1954;
- (b) “an unopposed claim” means a claim for a new tenancy under section 24 of the 1954 Act in circumstances where the grant of a new tenancy is not opposed;
- (c) “an opposed claim” means a claim for—
 - (i) a new tenancy under section 24 of the 1954 Act in circumstances where the grant of a new tenancy is opposed; or
 - (ii) the termination of a tenancy under section 29(2) of the 1954 Act.

(3) Where the claim is an unopposed claim—

- (a) the claimant must use the Part 8 procedure, but the following rules do not apply—
 - (i) rule 8.5; and
 - (ii) rule 8.6; [^{F3}and]

^{F4}(b)

- (c) the court will give directions about the future management of the claim following receipt of the acknowledgment of service.

[^{F5}(4) Where the claim is an opposed claim the claimant must use the Part 7 procedure.]

([^{F6}Practice Direction 56] contains provisions about evidence, including expert evidence in opposed claims)]

Textual Amendments

F1 Pt. 56 inserted (15.10.2001) by [The Civil Procedure \(Amendment\) Rules 2001 \(S.I. 2001/256\)](#), rule 1(d), [Sch. 2](#) (with [rule 31](#))

Status: Point in time view as at 22/08/2020.

Changes to legislation: There are currently no known outstanding effects for the
The Civil Procedure Rules 1998, Section 56.3. (See end of Document for details)

- F2** Rule 56.3 substituted (1.6.2004) by The Civil Procedure (Amendment) Rules 2004 (S.I. 2004/1306), rules 1(a), **16** (with rule 20(1))
- F3** Word in rule 56.3(3)(a)(ii) inserted (1.10.2008) by The Civil Procedure (Amendment) Rules 2008 (S.I. 2008/2178), rules 1(2), **29(c)(i)**
- F4** Rule 56.3(3)(b) omitted (1.10.2008) by virtue of The Civil Procedure (Amendment) Rules 2008 (S.I. 2008/2178), rules 1(2), **29(c)(ii)**
- F5** Rule 56.3(4) substituted (1.10.2008) by The Civil Procedure (Amendment) Rules 2008 (S.I. 2008/2178), rules 1(2), **29(c)(iii)**
- F6** Words in rule 56.3 substituted (6.4.2010) by The Civil Procedure (Amendment No.2) Rules 2009 (S.I. 2009/3390), rules 1(2), **31(b)**

Status:

Point in time view as at 22/08/2020.

Changes to legislation:

There are currently no known outstanding effects for the The Civil Procedure Rules 1998, Section 56.3.