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STATUTORY INSTRUMENTS

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**1998 No. 3132**

**The Civil Procedure Rules 1998**

**[<sup>F1</sup>PART 61**

**ADMIRALTY CLAIMS**

**[<sup>F1</sup>Scope and interpretation**

**61.1.**—(1) This Part applies to admiralty claims.

(2) In this Part—

(a) “admiralty claim” means a claim within the Admiralty jurisdiction of the High Court as set out in section 20 of the Supreme Court Act 1981;

(b) “the Admiralty Court” means the Admiralty Court of the [<sup>F2</sup>King’s] Bench Division of the High Court of Justice;

[ “the Admiralty Judge” means the judge in charge of the Admiralty Court and any other  
<sup>F3</sup>(ba) judge authorised to sit in the Admiralty Court;

(bb) “the Admiralty Registrar” means the holder of the office of this name listed in column 1 of Part II of Schedule 2 to the Senior Courts Act 1981 or any person who is authorised to exercise the powers of this office in accordance with s.91(1) of the Act;

(bc) “claim in personam” means an admiralty claim, other than a claim in rem, brought in accordance with section 21(1) of the Senior Courts Act 1981;]

(c) “claim in rem” means a claim in an admiralty action in rem [<sup>F4</sup>brought in accordance with section 21(2) to (5) of the Senior Courts Act 1981;];

(d) “collision claim” means a claim within section 20(3)(b) of the Supreme Court Act 1981;

(e) “limitation claim” means a claim under the Merchant Shipping Act 1995 for the limitation of liability in connection with a ship or other property;

(f) “salvage claim” means a claim—

(i) for or in the nature of salvage;

(ii) for special compensation under Article 14 of Schedule 11 to the Merchant Shipping Act 1995;

(iii) for the apportionment of salvage; and

(iv) arising out of or connected with any contract for salvage services;

(g) “caution against arrest” means a caution entered in the Register under rule 61.7;

(h) “caution against release” means a caution entered in the Register under rule 61.8;

(i) “the Register” means the Register of cautions against arrest and release which is open to inspection as provided by [<sup>F5</sup>Practice Direction 61];

(j) “the Marshal” means the Admiralty Marshal;

(k) “ship” includes any vessel used in navigation; <sup>F6</sup>...

(l) “the Registrar” means the [<sup>F7</sup>Admiralty Registrar; and]

[ “electronic track data” means a digital or electronic recording of the track of a vessel  
<sup>F8</sup>(m) (including any associated visual or aural recordings) as recorded by, for example, ship or shore-based AIS (Automatic Identification System), ECDIS (Electronic Chart and Display Information System), or a voyage data recorder].

(3) Part 58 (Commercial Court) applies to claims in the Admiralty Court except where this Part provides otherwise.

(4) The Registrar has all the powers of the Admiralty judge except where a rule or practice direction provides otherwise.]

#### Textual Amendments

- F1** Pt. 61 inserted (25.3.2002) by [The Civil Procedure \(Amendment No. 5\) Rules 2001 \(S.I. 2001/4015\)](#), rule 1(c), **Sch. 5**
- F2** Word in rule 61.1(2)(b) substituted (6.4.2023) by [The Civil Procedure \(Amendment\) Rules 2023 \(S.I. 2023/105\)](#), rules 1(1), **33(1)**
- F3** Rules 61.1(2)(ba)-(bc) inserted (6.4.2019) by [The Civil Procedure \(Amendment\) Rules 2019 \(S.I. 2019/342\)](#), rules 1(1), **10(a)**
- F4** Words in rule 61.1(2)(c) inserted (6.4.2019) by [The Civil Procedure \(Amendment\) Rules 2019 \(S.I. 2019/342\)](#), rules 1(1), **10(b)**
- F5** Words in rule 61.1(2)(i) substituted (6.4.2010) by [The Civil Procedure \(Amendment No.2\) Rules 2009 \(S.I. 2009/3390\)](#), rules 1(2), **36(a)**
- F6** Word in rule 61.1(2)(k) omitted (6.4.2019) by virtue of [The Civil Procedure \(Amendment\) Rules 2019 \(S.I. 2019/342\)](#), rules 1(1), **10(c)**
- F7** Words in rule 61.1(2)(l) substituted (6.4.2019) by [The Civil Procedure \(Amendment\) Rules 2019 \(S.I. 2019/342\)](#), rules 1(1), **10(d)**
- F8** Rule 61.1(m) inserted (28.2.2017) by [The Civil Procedure \(Amendment\) Rules 2017 \(S.I. 2017/95\)](#), rules 2(a), **10(1)**

**Changes to legislation:**

There are currently no known outstanding effects for the The Civil Procedure Rules 1998, Section 61.1.