
STATUTORY INSTRUMENTS

1998 No. 3132

The Civil Procedure Rules 1998

[^{F1}PART 65

**PROCEEDINGS RELATING TO ANTI-
SOCIAL BEHAVIOUR AND HARASSMENT**

SECTION I

Housing Act 1996 injunctions

[^{F1}Applications for an injunction

65.3.—(1) An application for an injunction under [^{F2}Chapter III of Part V] of the 1996 Act shall be subject to the Part 8 procedure as modified by this rule and the relevant practice direction.

(2) The application must be—

- (a) made by a claim form in accordance with the relevant practice direction;
- (b) commenced in the court for the district in which the defendant resides or the conduct complained of occurred; and
- (c) supported by [^{F3}a witness statement] which must be filed with the claim form.

(3) The claim form must state—

- (a) the matters required by rule 8.2; and
- (b) the terms of the injunction applied for.

(4) An application under this rule may be made without notice and where such an application without notice is made—

- (a) the [^{F4}witness statement] in support of the application must state the reasons why notice has not been given; and
- (b) the following rules do not apply—
 - (i) 8.3;
 - (ii) 8.4;
 - (iii) 8.5(2) to (6);
 - (iv) 8.6(1);
 - (v) 8.7; and
 - (vi) 8.8.

(5) In every application made on notice, the application notice must be served, together with a copy of the [^{F5}witness statement], by the claimant on the defendant personally.

(6) An application made on notice may be listed for hearing before the expiry of the time for the defendant to file an acknowledgement of service under rule 8.3, and in such a case—

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Changes to legislation: There are currently no known outstanding effects for the
The Civil Procedure Rules 1998, Section 65.3. (See end of Document for details)

- (a) the claimant must serve the application notice and [^{F6}witness statement] on the defendant not less than two days before the hearing; and
- (b) the defendant may take part in the hearing whether or not he has filed an acknowledgment of service.]

Textual Amendments

- F1** Pt. 65 inserted (30.6.2004) by [The Civil Procedure \(Amendment\) Rules 2004 \(S.I. 2004/1306\)](#), rule 1(b), [Sch. 2](#) (with rule 20(2)(a))
- F2** Words in rule 65.3(1) substituted (1.9.2004) by [The Civil Procedure \(Amendment No.2\) Rules 2004 \(S.I. 2004/2072\)](#), rules 1(a), [14\(a\)](#)
- F3** Words in rule 65.3(2)(c) substituted (1.9.2004) by [The Civil Procedure \(Amendment No.2\) Rules 2004 \(S.I. 2004/2072\)](#), rules 1(a), [14\(b\)](#)
- F4** Words in rule 65.3(4)(a) substituted (1.9.2004) by [The Civil Procedure \(Amendment No.2\) Rules 2004 \(S.I. 2004/2072\)](#), rules 1(a), [14\(c\)](#)
- F5** Words in rule 65.3(5) substituted (1.9.2004) by [The Civil Procedure \(Amendment No.2\) Rules 2004 \(S.I. 2004/2072\)](#), rules 1(a), [14\(d\)](#)
- F6** Words in rule 65.3(6)(a) substituted (1.9.2004) by [The Civil Procedure \(Amendment No.2\) Rules 2004 \(S.I. 2004/2072\)](#), rules 1(a), [14\(e\)](#)

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