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STATUTORY INSTRUMENTS

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**1998 No. 3132**

**The Civil Procedure Rules 1998**

**PART 8**

**ALTERNATIVE PROCEDURE FOR CLAIMS**

**Types of claim in which Part 8 procedure may be followed**

- 8.1.**—(1) The Part 8 procedure is the procedure set out in this Part.
- (2) A claimant may use the Part 8 procedure where—
- (a) he seeks the court’s decision on a question which is unlikely to involve a substantial dispute of fact; or
  - (b) paragraph (6) applies.
- (3) The court may at any stage order the claim to continue as if the claimant had not used the Part 8 procedure and, if it does so, the court may give any directions it considers appropriate.
- (4) Paragraph (2) does not apply if a practice direction provides that the Part 8 procedure may not be used in relation to the type of claim in question.
- (5) Where the claimant uses the Part 8 procedure he may not obtain default judgment under Part 12.
- (6) A rule or practice direction may, in relation to a specified type of proceedings—
- (a) require or permit the use of the Part 8 procedure; and
  - (b) disapply or modify any of the rules set out in this Part as they apply to those proceedings.
- (Rule 8.9 provides for other modifications to the general rules where the Part 8 procedure is being used)

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**Commencement Information**

**II** [Rule 8.1](#) in force at 26.4.1999, see [Signature](#)

**Status:**

Point in time view as at 26/04/1999. This version of this provision has been superseded.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 8.1.