
STATUTORY INSTRUMENTS

2008 No. 2178

The Civil Procedure (Amendment) Rules 2008

Amendments to the Civil Procedure Rules 1998

9. In Part 12—

- (a) for the second parenthesis below rule 12.3(3)(c)(ii) substitute—

“(Rule 6.17 provides that, where the claim form is served by the claimant, the claimant may not obtain default judgment unless a certificate of service has been filed.)”;
- (b) for the third parenthesis below rule 12.3(3)(c)(ii) substitute—

“(Article 19(1) of the Service Regulation (which has the same meaning as in rule 6.31(e)) applies in relation to judgment in default where the claim form is served in accordance with that Regulation.)”;
- (c) in rule 12.4(4), for “rule 6.5(8)” substitute “rule 6.10”;
- (d) in rule 12.10—
 - (i) at the beginning of paragraph (b) for “he” substitute “the claimant”;
 - (ii) in paragraph (b)(i)—
 - (aa) for “6.19(1) or (1A)” substitute “6.32(1), 6.33(1) or 6.33(2)”;
 - (bb) for “service without leave” substitute “service where permission of the court is not required”; and
 - (iii) in paragraph (b)(ii), for “Regulation State” substitute “Member State”;
- (e) in rule 12.11(4)(a), for “6.19(1) or 6.19(1A)” substitute “6.32(1), 6.33(1) or 6.33(2)”;
- (f) in rule 12.11(6)—
 - (i) in sub-paragraph (a)(ii), for “Regulation State” substitute “Member State”;
 - (ii) in sub-paragraph (d), after “;” insert “and”;
 - (iii) in sub-paragraph (e), for “; and” substitute “.”; and
 - (iv) omit sub-paragraph (f).